

ERIE COUNTY LEGISLATURE
MEETING NO. 5
March 2, 2000

The Legislature was called to order by Chairman Swanick.

All Members Present.

A Moment of Silence was held.

The Pledge of Allegiance was led by Mr. Olma.

MS. PEOPLES moved to approve the minutes of Meeting 4 of 2000. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 1 – MR. DeBENEDETTI presented a resolution Honoring Art Grasha, Edward Tepley, Bill Gallagher & Jack Jaeger on Their Induction Into the Town Boys & Girls Club, Hall of Fame. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 2 – MS. MARINELLI presented a resolution Recognizing Boy Scout Troop 37 on Their 75th Anniversary. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 3 – MS. PEOPLES presented a resolution Congratulating the Illustrious Potentate Charles Davis on Being Honored at the 30th Annual Potentate's Ball. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. SWANICK presented a resolution to David Commerford in Recognition of His Years of Service to Erie County. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 5 – MS. PEOPLES presented a resolution Commemorating Kenneth McLean Beatley for His Act of Heroism that Saved His Mother's Life. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. GREENAN presented a resolution Honoring the West Seneca Christian Girls Varsity Basketball Team’s IAC Championship Win. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 7 - CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #2) 1999 remain on the table.

COMMITTEE REPORTS

Item 8 – MR. KUWIJK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 64

February 22, 2000

PUBLIC SAFETY
COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

AS AMENDED

1. Item Page - 1999 (Int. 5-4)
CHASE, RANZENHOFER, GREENAN, LARSON, MARSHALL, SWANICK, KUWIK, DUSZA, MARINELLI & HOLT

WHEREAS, current law allows people who are forbidden by the courts due to a conviction of a DWI or other drug or alcohol related crimes from driving their own cars to operate buses and school buses, and

WHEREAS, by allowing persons with revoked or suspended licenses to operate buses, the general public and school children's lives are put in danger, and

WHEREAS, in 1993 the law was changed to prohibit taxi cab drivers from being allowed to drive taxis while their license was suspended or revoked, and

WHEREAS, legislation has been introduced and passed in the New York State Senate (Senate Bill S.790) to amend Section 509-c of the Vehicle and Traffic Law to prohibit the operation of a bus by an individual whose driver's license is under revocation or suspension due to a conviction for driving under the influence of alcohol or drugs,

NOW, THEREFORE, BE IT

RESOLVED, The Erie County Legislature believes bus drivers who have had their license revoked or suspended due to a conviction of driving under the influence of alcohol or drugs should not be entrusted with the lives of the general public or school children, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Assembly to pass and Governor Pataki to sign into law S.790 for the safety and well being of persons who ride buses and school buses, and be it further

RESOLVED, That a certified copy of this resolution be forwarded to Governor George Pataki and all the Western New York delegation.

Fiscal Impact: none
(6-0) Chairman Swanick present as Ex-Officio Member.

AS AMENDED

2. Item Page - 1999 (Int. 5-5)
**CHASE, RANZENHOFER, GREENAN, LARSON, WEINSTEIN, MARSHALL,
SWANICK, KUWIK, DUSZA, & MARINELLI**
WHEREAS, school bus drivers are entrusted with the safety and well being of our children, and

WHEREAS, school bus drivers are subject to periodic drug testing and are prohibited from using illegal drugs or consuming alcohol, and

WHEREAS, there has been an incident where a bus driver tested positive for marijuana use and was still permitted to resume his/her driving duties, and

WHEREAS, this incidence occurred because an arbitrator ruled that the bus driver's employment contract superseded the right of the school district to terminate the driver's employment, and

WHEREAS, legislation has been introduced and passed in the New York State Senate (Senate Bill S.908) to amend section 509-o of the Vehicle and Traffic Law to permanently disqualify an individual from driving a school bus who has violated the prohibitions on drug and alcohol use,

NOW, THEREFORE, BE IT

RESOLVED, The Erie County Legislature believes school bus drivers who test positive for illegal drugs or alcohol do not deserve a second chance to drive our children, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Assembly to pass and Governor Pataki to sign into law S.908 for the safety and well being of children who ride school buses, and be it further

RESOLVED, That a certified copy of this resolution be forwarded to Governor George Pataki and all the Western New York delegation.

Fiscal Impact: none

(6-0) Chairman Swanick present as Ex-Officio Member.

AS AMENDED

3. Item Page - 2000 (Int. 3-1)

RANZENHOFER, CHASE, GREENAN, WEINSTEIN, MARSHALL, LARSON, SWANICK, KUWIK, DUSZA, MARINELLI & HOLT

WHEREAS, state legislation (S.4179) has as been introduced which would provide standards for the permanent revocation of a driver's license when a person has accumulated three or more alcohol-related incidents within five years or four or more within ten years, and

WHEREAS, currently, the only provisions for permanent license revocation requires two alcohol-related crashes involving personal injury, and

WHEREAS, one of the most disheartening aspects of the war against drunk driving are the number of repeat offenders, and

WHEREAS, the person with three or more convictions has proven a stunning disregard for the safety of others and for the laws of this State, and

WHEREAS, S.4179 also amends the Vehicle and Traffic Law to provide that operation of a motor vehicle during a permanent revocation shall constitute aggravated operation of a motor vehicle in the first degree- a felony, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize that repeat drunk driving offenders are a risk for our entire community, and be it further

RESOLVED, that the Erie County Legislature does hereby memorialize Governor George Pataki sign into law Senate Bill S.4179 as a means to protect citizens from dangerous drunk drivers, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Governor George E. Pataki, Senator McGee and members of the Western New York State Delegation.
(6-0) Chairman Swanick present as Ex-Officio Member.

AS AMENDED

4. Item Page - 2000 (Int. 3-2)

RANZENHOFER, CHASE, WEINSTEIN, MARSHALL, LARSON, SWANICK, KUWIK, DUSZA, MARINELLI, & HOLT

WHEREAS, state legislation (A 2341) has been introduced which would lower the PER SE intoxication level from .10 percent blood alcohol content to .08 percent blood alcohol content, and

WHEREAS, the current level of PER SE intoxication is .10 percent BAC, and

WHEREAS, a license may be suspended pending prosecution if the BAC at arrest is .10 percent or more, and

WHEREAS, despite these efforts however, more still needs to be done in order to reduce the number of deaths associated with drinking and driving on our roads and highways, and

WHEREAS, according to the National Highway Traffic Safety Administration, states that have lowered their BAC levels to .08 percent have shown significant decreases in alcohol-related fatalities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize that lowering the PER SE blood alcohol level is a positive step in fighting the war against drunk driving, and be it further,

RESOLVED, that the Erie County Legislature does hereby memorialize the NYS Legislature to pass and Governor George Pataki sign into law A. 2341 as a means to reduce the number of deaths arising from alcohol-related motor vehicle accidents, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Governor George E. Pataki, Assemblyman Connelly, and members of the Western New York State Delegation. (6-0) Chairman Swanick present as Ex-Officio Member.

AS AMENDED

5. Item Page - 2000 (Int. 3-3)

RANZENHOFER, CHASE, GREENAN, WEINSTEIN, MARSHALL, LARSON, SWANICK, KUWIK, DUSZA, MARINELLI, & HOLT

WHEREAS, state legislation S. 1409 has been introduced which creates two new crimes addressing those who recklessly cause the death of or serious injury to another person while driving while intoxicated or under the influence of drugs, and

WHEREAS, current law does not adequately address those whose actions go beyond the legal definition of negligence in the operation of vehicles while intoxicated, and

WHEREAS, a recent spate of tragedies around the State have made it clear that certain aggravating factors should justifiably be added to the existing factor, and

WHEREAS, currently, a vehicular manslaughter crash resulting in the death of more than one person has no significant effect on sentencing since the sentences must run concurrently, and

WHEREAS, in the recent past, the death of four young pedestrians at the hand of a drunk driver necessarily resulted in the imposition of four concurrent sentences for vehicular manslaughter in the second degree since the deaths arose out of a single act, and

WHEREAS, the defendant was not held responsible for the multiple consequences of act, and

WHEREAS, this legislation would amend the penal law in relation to vehicular manslaughter in the first degree and vehicular assault in the first degree, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize the need to add additional aggravating elements to the definition of vehicular assault in the first degree and vehicular manslaughter in the first degree, and be it further

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Legislature to pass and Governor George Pataki sign into law Senate Bill S. 1409 a means to provide prosecutors with a badly needed tool for dealing with the aggravated drunk driving, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor George Pataki, Senator Dale M. Volker and members of the Western New York State delegation.
(6-0) Chairman Swanick present as Ex-Officio Member.

AS AMENDED

6. Item Page - 2000 (Int. 4-7)
SWANICK, KUWIK, DeBENEDETTI, PAULY, DUSZA, MARINELLI, HOLT, PEOPLES, CHASE & LARSON

WHEREAS, The Erie County Legislature - in cooperation with public, not for profit and private agencies throughout the region - has been vigilantly working to deter drunk drivers and penalize those who are arrested for driving while intoxicated, yet drunk driving remains a serious problem in Erie County and throughout the state, and

WHEREAS, This Honorable Body believes that the scientific and medical evidence collected over the past 50 years, along with the inestimable damage to life and property, shows irrefutably that drunk drivers cannot safely operate motor vehicles, and

WHEREAS, Alcohol remains the greatest single causal factor in motor vehicle deaths and injuries, responsible for more than 17,000 deaths nationwide in 1996 and more than 500 fatalities in New York State, and

WHEREAS, This Honorable Body believes that this situation will continue until citizens of conscience take a stand and call these deaths what they are - homicides, as the crime is murder and not simply driving while intoxicated and the vehicle can be looked at as the murder weapon, and

WHEREAS, The De Witt family of Lockport, NY have taken up this call to arms in the wake of their son Kurt's murder by a drunk driver and have diligently lobbied for increased penalties for these killers, and

WHEREAS, Labeling this crime as murder is crucial to affirming the difference between right and wrong; between responsibility and gross negligence; between justice and injustice, and

WHEREAS, Drunk drivers are indiscriminate killers; they drink and drive without fear of the consequences because current criminal penalties simply are not severe enough to make the drunk driver think twice before getting behind the wheel, and

WHEREAS, The consequences of homicide by drunk driver must be so significant that it acts as an effective deterrent,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby go on record in support of enhanced penalties for drunk drivers who kill, and be it further

RESOLVED, That this Honorable Body does hereby strongly memorialize the New York State Legislature to introduce and pass and New York State Governor George Pataki to sign into law legislation that would raise the felony classification level of the crimes of vehicular manslaughter and vehicular assault, and be it further

RESOLVED, That this Honorable Body does hereby request that the De Witt family appear at a future meeting of the Legislature's Public Safety Committee to discuss further measures this Legislature can take to aid in the battle against drunk driver killers, and be it further

RESOLVED, That certified copies of this resolution be sent to New York State Governor George Pataki, the Western New York delegation of the New York State Legislature, and to Mr. & Mrs. Richard De Witt (5658 Wendy Circle, Lockport, NY 14094).

Fiscal Impact: None for resolution.
(6-0) Chairman Swanick present as Ex-Officio Member.

EDWARD J. KUWIK
CHAIRMAN

MR. KUWIK moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 9 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 65

February 22, 2000

PERSONNEL AD HOC
COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT.

ALL ITEMS ARE HEREBY TABLED.

CHARLES M. SWANICK
CHAIRMAN

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 10 – MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 66

February 22, 2000

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT.

1. **RESOLVED**, that the following items are hereby received and filed.

- a. Item Page -1999 (Comm. 13E-28)
COUNTY EXECUTIVE: ECSD No. 2 – Contract No. 35A – Administration
Building/Storage Garage & Appurtenances – Bid Opening.
(5-0)

2. Item Page - 1999 **AS AMENDED**
(Comm. 13E-34)
COUNTY EXECUTIVE

WHEREAS the Erie County Department of Environment and Planning has received the following low bid for Erie County Sewer District No. 3, Holland Wastewater Treatment Plant Sludge Drying Beds - Contract 8HOL on February 8, 2000:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
8HOL	Paul J. Gallo Contracting, Inc. 4244 Ridge Lea Road Amherst, New York 14226	\$113,000.00

WHEREAS, this bidder has been recognized as successfully performing similar work in Erie County; and

WHEREAS, the Erie County Sewer District No. 3 Board of Managers has moved to recommend the award of the Holland Wastewater Treatment Plant Sludge Drying Beds - Contract 8HOL to the low bidder.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Sewer District No. 3 Holland Wastewater Treatment Plant Sludge Drying Beds - Contract 8HOL be awarded as follows:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
8HOL	Paul J. Gallo Contracting, Inc.	\$113,000.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the low bidder subject to approval as to form by the County Attorney; and be it further

RESOLVED that the funds for this contract be paid from Erie County District No. 3's Sewer Capital Account No. 430-516 for the Holland Extension to Erie County Sewer District No. 3, in the of \$113,000.00, and be it further

RESOLVED that the Clerk of the Legislature be directed to send two (2) certified copies of this Resolution to Charles J. Alessi, P.E, Department of Environment and Planning and one (1) certified copy each to Nancy A. Naples, Erie County Comptroller, Joseph Passafiume, Director of Budget and Management and Stephen F. Gawlik, Assistant County Attorney.
(5-0)

3. Item Page - 2000 **AS AMENDED**
(Comm. 2E-37)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature awarded Contract "A" (General) to Kenaidan Construction Corporation; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract "A" (General) in the amount of \$2,674,628.18 which includes Change Order A4 (final), a decrease of \$13,527.00, and the processing of the final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract "A" (General) between the County of Erie and Kenaidan Construction Corporation, 430 Lawrence Bell Drive, Suite 16, Williamsville, New York 14221, be accepted in the amount of \$2,674,628.18, which includes Change Order A4 (final), a decrease of \$13,527.00; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract "A" (General) between the County of Erie and Kenaidan Construction Corporation in the amount of \$2,674,628.18 and make final payment from Erie County Southtowns Board Account No. 430, Project No. 514, and return the unused portion, \$13,527.00 to the Unallocated Account; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Director of Budget and Management, the Erie County Comptroller's Office and Stephen Gawlik, Assistant County Attorney.
(5-0)

ALBERT DeBENEDETTI
CHAIRMAN

MR. DeBENEDETTI moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 11 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 67

February 24, 2000

COMMUNITY ENRICHMENT
COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. **RESOLVED**, that the following items are hereby received and filed.

Item Page -2000 (Comm. 4M-1)
a. **CITIZENS RAPID TRANSIT COMMITTEE:** Seeking Support for Vintage Trolley Proposal.
(6-0) Chairman Swanick present as Ex-Officio Member.

Item Page -2000 (Comm. 4M-2)
b. **BUFFALO ZOO:** November 1999 Financial Report & Minutes from Board of Directors Meetings for 6/99, 9/99, 10/99 & 11/99.
(6-0) Chairman Swanick present as Ex-Officio Member.

2. Item Page - 2000 (Comm. 4E-21)
COUNTY EXECUTIVE

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the re-appointment of Phyllis Horton of 10 Hertel Avenue Apt. #1001 Buffalo, New York 14207 as a member of the Buffalo & Erie County Public Library Board of Trustees. Her term will expire December 31, 2004.
(6-0) Chairman Swanick present as Ex-Officio Member.

3. Item Page - 2000 (Comm. 4E-27)
COUNTY EXECUTIVE

WHEREAS, the County of Erie (County) and the Greater Buffalo and Convention and Visitors Bureau (CVB) entered into an Agreement dated June 18, 1997 amending the County's 1993 Agreement with the CVB which enabled the CVB to aggressively market, sell and promote the benefits of Erie County through its Convention and Tourism Program; and

WHEREAS, the 1997 Amendment Agreement expired on December 31, 1999, and there is a need for the CVB to continue to provide a Convention and Tourism Program to promote the advantages of the County of Erie, and

WHEREAS, it has been determined it is in the best interests of both parties that the term of the new amendment should be for the years 2000 through and including 2003, with the stipulation that this four year Agreement requires that Erie County review and accept annually the CVB's Convention and Tourism Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into all necessary agreements and amendments with the CVB regarding the new County-CVB Agreement for the years 2000 through and including 2003; and be it further

RESOLVED, that the Erie County Legislature will review and accept annually the Convention and Visitors Bureau convention and tourism plan; and be it further

RESOLVED, the County agrees to appropriate and pay to the CVB certain hotel bed occupancy tax revenues as specified in the new Agreement; and be it further

RESOLVED, that the County, through this action of the Erie County Legislature, intends to designate the CVB as the County's Tourist Promotion Agency for the term of this Agreement; and be it further

RESOLVED, that certified copies of this Resolution be provided to the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management and Finance, the County Comptroller, and the County Attorney.
(6-0) Chairman Swanick present as Ex-Officio Member.

LYNN M. MARINELLI
CHAIRPERSON

MS. MARINELLI moved the approval of the resolution. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 12 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 68

February 24, 2000

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FITZPATRICK. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. **RESOLVED**, that the following items are hereby received and filed.

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|--|------|------|-------|--------------|
| | Item | Page | -2000 | (Comm. 4E-5) |
|--|------|------|-------|--------------|
- a. **COMPTROLLER:** Audit of Erie County Self-Insurance Program Risk Retention Liability Account.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.
- | | | | | |
|--|------|------|-------|--------------|
| | Item | Page | -2000 | (Comm. 4E-7) |
|--|------|------|-------|--------------|
- b. **COMPTROLLER:** ECC's Financial Report for Year Ended 8/31/99.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.
- | | | | | |
|--|------|------|-------|---------------|
| | Item | Page | -2000 | (Comm. 4E-19) |
|--|------|------|-------|---------------|
- c. **COUNTY EXECUTIVE:** Transition Lump Sum Payments.
(4-1) Legislator Larson in the Negative. Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

AS AMENDED

- | | | | | |
|----|------|------|--------|---------------|
| 2. | Item | Page | - 2000 | (Comm. 4E-12) |
|----|------|------|--------|---------------|
- COUNTY EXECUTIVE**

WHEREAS, the Division of Budget, Management and Finance, in cooperation with the Erie County Comptroller, and in consultation with departmental accountants, has identified accounts with projected budget deficiencies prior to year-end closing, and

WHEREAS, budget amendments are required to eliminate the aforementioned deficiencies in order to close the County's books and prepare financial statements for review by the County's independent auditors for the 1999 fiscal year, and

WHEREAS, these budget amendments will have no net fiscal impact as funds either are transferred from accounts with available balances to accounts with projected deficiencies or unanticipated revenues are appropriated, and

WHEREAS, final year-end transactions and accrual entries cannot be processed in the accounting system by the Comptroller's March 2, 2000 closing deadline for accounts with budget deficiencies until said deficiencies are eliminated through budget amendments.

NOW, THEREFORE BE IT

RESOLVED, that the Division of Budget, Management and Finance is hereby authorized to amend the budgets of General Fund Departments, Grants, Sewer Districts, the Road Fund, the Library Fund, and the Department of Social Services as specified in the following schedule, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Budget and Management and the Erie County Comptroller.

GENERAL FUND:

DAC				Description:	Debit (Credit) Amount
110	911	0220	800	Personal Services (DPW-Comm)	21,000
110	912	0221	800	Personal Services (DPW-Bldgs & Grnds)	(72,300)
110	912	0221	801	Overtime (DPW-Bldgs & Grnds)	51,300
110	915	0130	800	Personal Services (Clerk-Registr)	(11,500)
110	915	0130	801	Overtime (Clerk-Registr)	11,500
110	918	0500	800	Personal Services (Bd of Elect)	(32,007)
110	918	0500	801	Overtime (Bd of Elect)	32,007
110	919	0550	800	Personal Services (EEO)	2,507
110	922	0302	830	0133 NFTA Share of Sales Tax (Countywide Env & Plng)	810,000
110	927	0510	800	Personal Services (DISS)	(39,790)
110	927	0510	801	Overtime (DISS)	20,020
110	928	0511	800	Personal Services (Purchase)	26,600
110	930	0650	800	Personal Service (Cent Police Svc)	(61,516)
110	930	0650	801	Overtime (Cent Police Svc)	61,516
110	931	0150	800	Personal Services (Sheriff)	915,114
110	931	0150	801	Overtime (Sheriff)	308,805
110	931	0150	890	Reserve for Salary Incr (Sheriff)	(672,945)
110	932	0151	800	Personal Services (Holding Ctr)	(617,237)
110	932	0151	801	Overtime (Holding Ctr)	1,595,454
110	932	0151	812	Food Supplies (Holding Ctr)	(41,000)
110	933	0660	800	Personal Services (Corr Fac)	(215,169)
110	933	0660	801	Overtime (Corr Fac)	397,481
110	933	0660	812	Food Supplies (Corr Fac)	(100,000)
110	933	0660	814	Medical Supplies (Corr Fac)	89,000
110	933	0660	816	Maintenance Supplies (Corr Fac)	(11,000)
110	933	0660	930	Automotive Equipment (Corr Fac)	(6,001)
110	933	0660	932	Office Equipment (Corr Fac)	(34,000)
110	933	0660	933	Lab & Technical Equipment (Corr Fac)	(7,000)
110	934	0260	800	Personal Services (Probation)	(5,580)
110	934	0260	801	Overtime (Probation)	5,580
110	936	0240	830	0505 AIDS Family Service (M.H. Prog Adm)	5,000
110	936	0240	830	Contractual (M.H. Prog Adm)	(5,000)
110	937	0241	800	Personal Services (M.H. Forensic)	(3,810)
110	937	0241	801	Overtime (M.H. Forensic)	3,810
110	938	0530	800	Personal Services (Veteran's Svcs)	12,764
110	938	0530	811	Clothing Supplies (Veteran's Svcs)	(3,300)
110	938	0530	826	Other Expenses (Veteran's Svcs)	(4,000)
110	939	0630	800	Personal Services (Sr Svcs)	7,790
110	942	0640	800	Personal Services (Parks)	(1,865)
110	942	0640	801	Overtime (Parks)	1,865
110	946	0250	800	Personal Services (Youth Div)	16,914
110	947	0251	800	Personal Services (Detention)	(163,460)
110	947	0251	801	Overtime (Detention)	146,546
110	948	0252	800	Personal Services (Youth Special Needs)	(4,350)
110	948	0252	801	Overtime (Youth Special Needs)	4,350
110	948	0252	831	Children w/Special Needs Program	(19,425)
110	948	0252	933	Lab & Technical Equipment (Youth Special Needs)	19,425
110	949	0270	800	Personal Services (Health Div)	149,565
110	949	0270	814	Medical Supplies (Health Div)	(49,855)
110	949	0270	821	Dues & Fees (Health Div)	(49,855)
110	949	0270	826	Other Expenses (Health Div)	(49,855)
110	950	0271	800	Personal Services (Health-EMS)	1,315
110	950	0271	801	Overtime (Health-EMS)	4,560
110	950	0271	821	Dues & Fees (Health-EMS)	(5,875)

110	951	0272	800	Personal Services (Health-P.H.Lab)	(3,228)
110	951	0272	801	Overtime (Health-P.H. Lab)	3,228
110	923	0310	310	Sales Tax (Countywide-Budget)	<u>(2,434,093)</u>

Subtotal General Fund **0**

GENERAL FUND DISS INTERDEPT
 BILLINGS/PAYMENTS:

DAC	Description:			Debit (Credit) Amount	
110	905	0100	881	ID Pay Expense - DISS (Leg)	20,657
110	906	0110	881	ID Pay Expense - DISS (Co Exec)	9,021
110	903	0304	881	ID Pay Expense - DISS (Ctr Econ Growth)	(9,440)
110	907	0520	881	ID Pay Expense - DISS (Labor Rel)	(177)
110	908	0210	881	ID Pay Expense - DISS (Budget, Mgt & Fin)	(22,679)
110	909	0600	881	ID Pay Expense - DISS (Law)	(6,786)
110	910	0610	881	ID Pay Expense - DISS (Personnel)	(19,285)
110	911	0220	881	ID Pay Expense - DISS (DPW - Comm)	2,242
110	912	0221	881	ID Pay Expense - DISS (DPW - Bldgs & Gn ds)	12,343
110	913	0222	881	ID Pay Expense - DISS (DPW - Wts & Meas)	14,618
110	914	0120	881	ID Pay Expense - DISS (Comptroller)	(64,024)
110	915	0130	881	ID Pay Expense - DISS (Clerk - Regist)	(5,666)
110	916	0131	881	ID Pay Expense - DISS (Clerk - Auto)	(3,028)
110	917	0140	881	ID Pay Expense - DISS (Dist Attny)	(6,639)
110	918	0500	881	ID Pay Expense - DISS (Bd of Elections)	27,449
110	919	0550	881	ID Pay Expense - DISS (EEO)	(707)
110	926	0540	881	ID Pay Expense - DISS (Comm on Women)	(13,441)
110	927	0510	881	ID Pay Expense - DISS (DISS)	2,783
110	928	0511	881	ID Pay Expense - DISS (Purchase)	(43,195)
110	930	0650	881	ID Pay Expense - DISS (Cent Police Svc)	(184,167)
110	931	0150	881	ID Pay Expense - DISS (Sheriff)	7,979
110	932	0151	881	ID Pay Expense - DISS (Holding Ctr)	(19,025)
110	933	0660	881	ID Pay Expense - DISS (Correctional Fac)	(1,561)
110	934	0260	881	ID Pay Expense - DISS (Probation)	17,442
110	935	0670	881	ID Pay Expense - DISS (Emergency Svcs)	15,747
110	949	0270	881	ID Pay Expense - DISS (Health - Health Div)	109,752
110	950	0271	881	ID Pay Expense - DISS (Health - EMS)	4,301
110	951	0272	881	ID Pay Expense - DISS (Health - PH Lab)	(656)
110	986	0273	881	ID Pay Expense - DISS (Health - ME)	3,860
110	936	0240	881	ID Pay Expense - DISS (M.H. - Prog Adm)	(9,613)
110	937	0241	881	ID Pay Expense - DISS (M.H. - Forensic)	(1,798)
110	938	0530	881	ID Pay Expense - DISS (Veteran's Svcs)	2,313
110	939	0630	881	ID Pay Expense - DISS (Sr Svcs -	1,079

				Admin)	
110	940	0631	881	ID Pay Expense - DISS (Sr Svcs - Transport)	(19,823)
110	942	0640	881	ID Pay Expense - DISS (Parks)	7,484
110	943	0641	881	ID Pay Expense - DISS (Recreation)	(1,009)
110	944	0642	881	ID Pay Expense - DISS (Forestry)	(712)
110	945	0620	881	ID Pay Expense - DISS (Env & Plng)	(23,575)
110	946	0250	881	ID Pay Expense - DISS (Youth - Youth Div)	13,101
110	947	0251	881	ID Pay Expense - DISS (Youth - Detention)	25,534
110	948	0252	881	ID Pay Expense - DISS (Youth - Special Needs)	2,363
110	927	0510	883	InterDept Billing (DISS)	<u>156,938</u>

Subtotal DISS ID Bill/Pay 0

SOCIAL SERVICES SUB-FUND:

DAC	Description			Debit (Credit) Amount
120		800	Personal Services	(806,000)
120		801	Overtime	806,000
120		840 0100	Inter Govt Transfer (IGT) Local Share Expense	61,350,164
120		510 0100	Inter Govt Transfer (IGT) Refund Fr ECMC/Home	(61,350,164)
120		843	Child Welfare Services (CWS)	1,170,000
120		511	Refund P/Y Expense	(1,170,000)
120		847	Burials	(288,500)
120		850	Child Care - Title XX	272,000
120		824	Travel & Mileage	16,500
120		830 0119	Crisis Services	15,489
120		830 0140	WNY Independent Living Ctr	2,500
120		830 0153	Catholic Charities	5,507
120		830 0194	Blind Assoc of WNY	3,750
120		830 0199	Child & Family Svcs Protective	43,150
120		830 0209	International Institute	6,360
120		830 0220	Hispanics United of Buffalo	14,521
120		830 0252	Gateway Longview Respite	2,460
120		830 0300	Child & Family - Homeless After Hours	5,285
120		830 0324	Child & Fam Svcs Non-Resid Dom V	62,145
120		830 0325	Compass House Independent Living	25,000
120		830 0353	Coord Care Management Corp	140,652
120		830 0403	ECC Independent Living	213,335
120		830 0663	International Inst Citizenship Project	37,368
120		830 0868	Deaf Adult Services	2,350
120		830 0934	Child & Adolescent Trmt Svcs Ind. Living	60,468
120		830 0880	Outcome Based Initiatives	0
120		830	Contractual - (Reappropriation Budget) **	(534,545)
120		649	Federal Aid Soc Serv Admin (Ind. Living)	0
120	953	0200 880 1200	Interfund - Comptroller - Single Audit Cost	12,340
120	953	0200 880 5100	Interfund - Information & Support Services	47,430
120	953	0200 880 1401	Interfund - DA - Domestic Violence	12,305
120	953	0200 880 2009	Interfund - DSS Grants Fed/State	918,030
120	953	0200 886 2009	Interfund - DSS Grants Local Share	9,237,855

120	886		Interfund - (Reappropriation Budget) **	(9,197,255)
120	685	2009	Interfund - Social Services Grants	(1,136,500)
120	846		Emergency Asst to Adults	(300,000)
120	856		State Training School	300,000

** Reappropriation budgets at account level moved to actual document sub accounts

Subtotal Social Services Sub-Fund 0

GRANTS:

				Account/Budget DAC Code:		Debit (Credit)
				Description		Amount
280	866	0200	805	Fringe (DSS Day Care Regist)		(14,300)
280	866	0200	824	Travel & Mileage (DSS Day Care Regist)		(5,000)
280	866	0200	880	2006 Interfund (DSS Day Care Regist)		19,300
280	868	0200	805	Fringe (DSS Dom Violence Assmt)		(27,900)
280	868	0200	824	Travel & Mileage (DSS Dom Violence Assmt)		(7,800)
280	868	0200	826	Other Expenses (DSS Dom Violence Assmt)		(2,400)
280	868	0200	826	0122 Other Expenses (DSS Dom Violence Assmt)		(27,900)
280	868	0200	890	Salary Reserves (DSS Dom Violence Assmt)		(2,400)
280	868	0200	932	Office Equipment (DSS Dom Violence Assmt)		(9,700)
280	868	0200	686	2000 Interfund (DSS Dom Violence Assmt)		(24,400)
280	868	0200	880	2006 Interfund (DSS Dom Violence Assmt)		102,500
280	870	0200	880	2006 Interfund (DSS Work Now)		56,300
280	870	0200	882	2009 Interdept (DSS Work Now)		(56,300)
280	884	0200	800	Personal Services (DSS Managed Care)		(70,000)
280	884	0200	880	2006 Interfund (DSS Managed Care)		70,000
281	137	0200	880	2006 Interfund (DSS Safety Net Empl)		56,400
281	137	0200	882	2009 Interdept (DSS Safety Net Empl)		(24,000)
281	137	0200	609	State Aid (DSS Safety Net Empl)		(16,200)
281	137	0200	686	2000 Interfund (DSS Safety Net Empl)		(16,200)
281	139	0200	822	Rent (DSS Work Now)		(38,600)
281	139	0200	823	Repair & Maint (DSS Work Now)		(3,700)
281	139	0200	824	Travel & Mileage (DSS Work Now)		(1,100)
281	139	0200	825	Out of Area Travel (DSS Work Now)		(2,000)
281	139	0200	826	Other Expenses (DSS Work Now)		(19,600)
281	139	0200	932	Office Equipment (DSS Work Now)		(7,000)
281	139	0200	880	2006 Interfund (DSS Work Now)		195,000
281	139	0200	640	Federal Aid (DSS Work Now)		(123,000)
281	141	0200	800	Personal Services (DSS Dom Violence Assmt)		(68,000)
281	141	0200	805	Fringe (DSS Dom Violence Assmt)		(24,200)
281	141	0200	880	2006 Interfund (DSS Dom Violence Assmt)		92,200
281	142	0200	800	Personal Services (DSS Day Care Regist)		(17,000)
281	142	0200	880	2006 Interfund (DSS Day Care Regist)		17,000
281	147	0200	826	Other Expenses (DSS Fam Asst Empl)		(396,700)
281	147	0200	880	2002 Interfund (DSS Fam Asst Empl)		(408,500)
281	147	0200	880	2006 Interfund (DSS Fam Asst Empl)		408,500
281	147	0200	882	2009 Interdept (DSS Fam Asst Empl)		396,700
281	170	0200	801	Overtime (DSS Managed Care)		(70,000)
281	170	0200	830	0886 Managed Care Coalition (DSS		(10,000)

				Managed Care)		
281	170	0200	932	Office Equipment (DSS Managed Care)		(4,000)
281	170	0200	880	2006 Interfund (DSS Managed Care)		84,000
281	173	0200	800	Personal Services (DSS Local Flex Incentive Pilot)		(9,900)
281	173	0200	880	2006 Interfund (DSS Local Flex Incentive Pilot)		9,900
281	174	0200	800	Personal Services (DSS Enh Drug & Alc D.V.)		(16,400)
281	174	0200	805	Fringe (DSS Enh Drug & Alc D.V.)		(9,000)
281	174	0200	880	2006 Interfund (DSS Enh Drug & Alc D.V.)		25,400
281	149	0630	805	Fringe (Sr Svcs Congregate Dining)		(1,800)
281	149	0630	880	5100 Interfund-DISS (Sr Svcs Congregate Dining)		1,800
281	151	0630	805	Fringe (Sr Svcs Home Delivered Nutr)		(1,280)
281	151	0630	880	5100 Interfund-DISS (Sr Svcs Home Delivered Nutr)		1,280
281	183	0251	800	Personal Services (Detention - Alt Home Svcs)		10,365
281	183	0251	801	Overtime (Detention - Alt Home Svcs)		1,229
281	183	0251	805	Fringe (Detention - Alt Home Svcs)		(4,319)
281	183	0251	686	2510 Interfund (Detention - Alt Home Svcs)		(7,275)
281	210	0110	800	Personal Services (Co Ex Council on Children)		9,495
281	210	0110	805	Fringe (Co Exec Council on Children)		(9,495)
280	834	0252	800	Personal Services (Youth - EI-Admin)		(10,000)
280	834	0252	801	Overtime (Youth - EI Admin)		16,750
280	834	0252	805	Fringe Benefits (Youth - EI Admin)		(6,750)
281	107	0252	826	Other Expenses (Youth - EI Admin)		(5,000)
281	107	0252	833	Lab & Tech Equipment (Youth - EI Admin)		5,000

Subtotal Grants **0**

SEWER DISTRICTS:

DAC				Description	Debit (Credit) Amount
220	851	0810	826	Other Expenses (SD#1,4,5)	(86,000)
220	851	0810	830	Contractual (SD#1,4,5)	86,000
220	853	0830	800	Personal Services (SD#3)	(4,500)
220	853	0830	801	Overtime (SD#3)	4,500
220	854	0840	805	Fringe Benefits (SD#6)	(781)
220	854	0840	880	5100 Interfund - Inf. & Support Svcs (SD#6)	781
220	855	0850	805	Fringe Benefits (SD- Design & Con)	(2,118)
220	855	0850	880	5100 Interfund - Inf. & Support Svcs (SD-Design & Con)	2,118

Subtotal Sewer Districts **0**

DAC				Description	Debit (Credit) Amount
210			800	Personal Services	(1,521,400)
210			801	Overtime	1,509,000
210			813	Auto, Truck Supplies	11,200
210			816	Maintenance Supplies	1,200

Subtotal Road Fund 0

LIBRARY FUND:

DAC				Description	Debit (Credit) Amount
820	973	0420	800	Personal Services	0
820	973	0420	801	Overtime	0

Subtotal Library Fund 0

INTERFUND OFFSET BALANCING:

DAC				Description	Debit (Credit) Amount
280	860	0200	882	2009 Interdept (DSS FA Empl)	(316,400)
280	860	0200	608	State Aid (DSS FA Empl)	210,934
280	860	0200	657	Federal Aid (DSS FA Empl)	105,466
281	135	0200	685	2001 Interfund Fed/State (DSS Child Care BG)	(79,927)
281	135	0200	551	State Aid (DSS Child Care BG)	79,927
281	142	0200	685	2001 Interfund Fed/State (DSS Day Care Regist)	(33,337)
281	142	0200	551	State Aid (DSS Day Care Regist)	33,337
281	146	0200	685	2001 Interfund Fed/State (DSS HEAP)	(25,092)
281	146	0200	653	Federal Aid (DSS HEAP)	25,092
281	147	0200	880	2006 Interfund (DSS FA Empl)	(779,674)
281	147	0200	608	State Aid (DSS FA Empl)	259,891
281	147	0200	657	Federal Aid (DSS FA Empl)	519,783
110	914	0120	685	2000 Interfund - DSS (Comptroller)	(12,340)
110	914	0120	821	Dues & Fees (Comptroller)	12,340
110	917	0140	685	2000 Interfund - DSS (Dist Attny)	(12,305)
110	917	0140	826	Other Expenses (Dist Attny)	12,305
110	947	0251	886	2509 Interfund - Youth Grants (Youth-Detention)	7,275
110	947	0251	821	Dues & Fees (Youth-Detention)	(7,275)
110	927	0510	685	2000 Interfund - Social Services (DISS)	(47,430)
110	927	0510	685	2230 Interfund - Road Fund (DISS)	43,409
110	927	0510	685	6309 Interfund - Sr Svcs Grants (DISS)	(3,080)
110	927	0510	685	6508 Interfund - E-911 (DISS)	10,000
110	927	0510	685	8400 Interfund - Sewer Dist #6 (DISS)	(781)
110	927	0510	685	8500 Interfund - SD Design & Constr (DISS)	(2,118)
210			880	5100 Interfund - DISS (Road Fund)	(43,409)
210			826	Other Expenses (Road Fund)	43,409
230	965	0650	880	5100 Interfund - DISS (E-911)	(10,000)
230	965	0650	820	Utilities (E-911)	10,000
120			685	2005 Interfund -DSS Grant Fund to TANF	408,500
120			595	State Aid - Family Assistance	(136,266)
120			648	Federal Aid - Family Assistance	(272,234)

Subtotal Interfund Offsets

0

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

3. Item Page - 2000 (Comm. 4E-22)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Donald F. Feedham, who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, the canvass of other adjoining owners did not bring any additional interest in the acquisition of this parcel of land, and

WHEREAS, the parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Donald F. Feedham, 151 W. Abbott Grove, Orchard Park, New York 14127 for the sum of One Hundred and 00/100 Dollars (\$100.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York being part of Farmlot 33, Township 1, Range 7, and according to a map filed in the Erie County Clerk's Office under Map Cover 952 and further described on Erie County Tax Maps as Section, Block and Lot No. 160.440-2-65 (1 x 1047). Intending to convey all land acquired by Erie County as Serial No. 1341 in the County In Rem Tax Foreclosure Action No. 140, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller and the County Attorney's Office.

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

4. Item Page - 2000 (Comm. 4E-24)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Betty K. Kovach, who was the former owner of the above County owned parcel of land to purchase this parcel, and

WHEREAS, because Mrs. Kovach was allowed to pay taxes on this property after the parcel was struck to the County of Erie in our Foreclosure Action on June 3, 1997,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Betty K. Kovach, 10136 Andover Coach Circle, Unit A2, Lake Worth, Florida 33467 for the sum of Three Thousand Five Hundred Eighty-three and 27/100 Dollars (\$3,583.27) which was the amount owing as a lien prior to the In Rem Foreclosure tax sale.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 5, Township 13, Range 7 and further described on Erie County Tax Maps as Section, Block and Lot No. 4.000-2-20 (4340 Tonawanda Creek Rd 231.00 x 289.00). Intending to convey all land acquired by Erie County as Serial No. 1519 in In Rem Tax Foreclosure Action No. 153, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller and the County Attorney's Office.

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

CRYSTAL D. PEOPLES
CHAIRPERSON

MS. PEOPLES moved the approval of the resolution. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

Item 13 – MR. HOLT presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 69

February 24, 2000

SOCIAL SERVICES
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR CHASE. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. Item Page - 2000 (Comm. 4E-10)

COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has been awarded a special allocation of funding for a special overtime project to conduct administrative actions in review and adjustment of child support orders, and

WHEREAS, the Department is required to initiate action on 3,611 child support cases which are dated prior to September 15, 1989, and

WHEREAS, this special funding is to be used to increase the Department's overtime allocation in the 2000 Adopted Budget to enable staff in the Office of Child Support Enforcement to work overtime to accomplish required review and adjustment activities, and

WHEREAS, the review and adjustment of child support cases is expected to result in an overall increase in child support collections.

NOW, THEREFORE, BE IT

RESOLVED, the Department of Social Services is hereby authorized to accept the allocation of additional Federal and State funding, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2000 Adopted Budget:

Department of Social Services, Department 200, Fund 120

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
801	Personal Services (overtime)	<u>\$97,131</u>
	Total Expenditures	<u>\$97,131</u>
596	State Aid - Social Services Admin	\$64,106
649	Federal Aid - Social Services Admin	<u>33,025</u>
	Total Revenues	<u>\$97,131</u>

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of Budget and Management.

(5-0) Legislator Chase absent. Chairman Swanick present as Ex-Officio Member.

GEORGE A. HOLT, JR.
CHAIRMAN

MR. HOLT moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 14 – MS. FISHER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 70

February 24, 2000

HEALTH/MENTAL HEALTH
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT.

1. **RESOLVED**, that the following items are hereby received and filed.

Item Page -2000 (Comm. 4D-6)
a. **HEALTH:** Health Proposal for a School-Based Peer Education Program in Buffalo
Public High Schools.
(5-0)

Item Page -2000 (Comm. 4D-7)
b. **ECMC:** Agenda for Board of Managers Meeting Held 2/10/00.
(5-0)

2. Item Page - 1999 (Int. 24-5)
CHASE, WEINSTEIN, RANZENHOFER, MARSHALL & LARSON

WHEREAS, criminal stalking behavior, including threatening, violent or other criminal conduct has become more prevalent in Erie County, and

WHEREAS, the unfortunate reality is that stalking victims have been intolerably forced to live in fear of their stalkers, and

WHEREAS, stalkers who repeatedly follow, phone, write, confront, threaten or otherwise unacceptably intrude upon their lives, often inflict immeasurable emotional and physical harm upon them, and

WHEREAS, the high correlation between stalking behavior and the infliction of physical violence or sexual assault is demonstrated in various federal studies, and

WHEREAS, criminal acts involving violence, intolerance and terrorism at health care facilities and places of religious worship have become prevalent in recent years,

WHEREAS, the New York State Senate and Assembly approved and Governor Pataki signed into law, A.9036A "Clinic Access and Anti-stalking Act of 1999," to provide clear recognition of the dangerousness of stalking and provide real and effective sanctions for stalking conduct at its earliest stages, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature unanimously praises the State Legislature and Governor George Pataki in the passage into law the aforementioned legislation on November 22, 1999, so it may create the separate crime of stalking and protect victims by providing real and effective sanctions for stalking conduct even at its earliest stages, and be it further

RESOLVED, that this law will provide increased penalties for repeat offenders, for those who stalk children, for those who possess weapons when stalking, and for those offenders who commit stalking in violation of an order of protection, and be it further.

RESOLVED, that certified copies of this resolution be forwarded to Governor George Pataki and the members of the Western New York Delegation.

(5-0)

3. Item Page - 2000 (Comm. 4E-15)

COUNTY EXECUTIVE

RESOLVED, that the Health/Mental Health Committee does hereby recommend that the full Legislature confirm the appointment of Mary Jo Morris of Amherst, New York to a five year term on the Erie County Medical Center Board of Managers. Her term ends December 31, 2004.

(5-0)

4. Item Page - 2000 (Comm. 4E-23)

COUNTY EXECUTIVE

WHEREAS, the Erie County Public Health Laboratory is currently licensed under the New York State Department of Health Division of Laboratories to conduct clinical laboratory analyses for the diagnosis of infectious diseases, and

WHEREAS, various laboratory agencies work with the Public Health Laboratory in conducting clinical studies of new laboratory analyses systems, and

WHEREAS, these agencies will fully reimburse the County for costs of travel to national conferences to present data and for costs associated with the continuing education expenses related to their systems.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept reimbursement for the expenses which are budgeted as follows:

**Public Health Laboratory Research Initiative Grant
 1/1/00 - 12/31/01
 Project #**

SFG ACCOUNT	REVENUE	BUDGET
517	Other Unclassified Revenue	<u>\$4,000</u>
	TOTAL	<u>\$4,000</u>
	EXPENSES	
825	Out of Area Travel	\$2,000
826	Other Expenses	<u>2,000</u>
	TOTAL	<u>\$4,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Law.
 (5-0)

5. Item Page - 2000 (Comm. 4E-25)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has recently received a budget revision from the New York State Health Department for the Asthma Initiative Pilot Project for the period 1/1/99 - 12/31/99, and

WHEREAS the purpose of the Asthma Initiative Pilot Project is to provide asthma control services through home intervention for asthmatic children in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the New York State to accept the revised grant award which is budgeted as follows:

**ASTHMA INITIATIVE PILOT PROJECT
 01/01/99 - 12/31/99
 PROJECT #222**

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$ 249,773</u>	<u>0</u>	<u>\$ 249,773</u>
	TOTAL	<u>\$ 249,773</u>	<u>\$ 0</u>	<u>\$ 249,773</u>
	EXPENSES			
800	PERSONNEL SERVICES	\$84,400	19,972	\$104,372
801	OVERTIME	2,500	0	2,500
805	FRINGE BENEFITS	17,500	7,119	24,619
810	OFFICE SUPPLIES	3,674	2,000	5,674
811	CLOTHING SUPPLIES	2,000	1,000	3,000

March 2, 2000

ERIE COUNTY LEGISLATURE

814	MEDICAL SUPPLIES	200	0	200
821	DUES & FEES	4,000	0	4,000
824	TRAVEL & MILEAGE	4,000	0	4,000
825	OUT OF AREA TRAVEL	2,000	0	2,000
826	OTHER EXPENSES	35,000	0	35,000
830	CONTRACTUAL SERVICES	70,000	-32,204	37,796
880-5100	DISS	5,500	0	5,500
932	OFFICE EQUIPMENT	3,999	2,113	6,112
933	LAB & TECH EQUIPMENT	15,000	0	15,000
	TOTAL	<u>\$ 249,773</u>	<u>0</u>	<u>\$ 249,773</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Law.

(5-0)

**JUDITH P. FISHER
CHAIRPERSON**

MS. FISHER moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 15 – MR. HOLT presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 71

Re: US Department of Labor Youth
Job Training Grant. (Intro. 5-1)

A RESOLUTION SUBMITTED BY LEGISLATOR HOLT

WHEREAS, the federal government has awarded a \$32 million dollar grant over a five year period to be used to set up a youth-training program on the east and west side of Buffalo, and

WHEREAS, this grant is to reach the severely disadvantaged youth of our community who for a long time have been left out of the economy, and

WHEREAS, this Youth Opportunity Grant has been awarded to the Buffalo & Erie County Private Industry Council to provide training to 14-to -21 year olds in some of the city's poorest neighborhoods, and

WHEREAS, the Private Industry Council has been in discussions with several large area employers about the possibility of hiring Youth Opportunity Program participants, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support the objective of the Youth Opportunity Grant, and be it further

RESOLVED, that this Honorable Body recognize the ability of the Private Industry Council to meet the goals of the Youth Opportunity Grant, and to provide the necessary training that will develop new workers that is badly needed in today's marketplace, and be it further

RESOLVED, that in order for this Body to get an idea of specifically the type of training programs to be offered, it will need discussion from all persons associated with the implementation of the programs, and be it further

RESOLVED, that the Erie County Legislature respectfully request the presence of Marie Kaczmarek, director of planning for the Private Industry Council to appear before the Legislature's Social Service Committee to share their plan for implementation of the Youth Opportunity Program, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Ms. Marie Kaczmarek Private Industry Council at 506 Delaware Ave, Buffalo NY 14202.

Fiscal Impact: none

MR. HOLT moved to amend the resolution to include ET AL Sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. HOLT moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 16 – MR. MARSHALL presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 72

Re: Calling a Public Hearing Upon Application of the Clarence Fillmore Cemetery Association for Consent to Acquire Property. (Intro. 5-2)

**A RESOLUTION SUBMITTED BY
LEGISLATOR MARSHALL**

WHEREAS, the Clarence Fillmore Cemetery Association, through its attorney, Elizabeth M. DiPirro, has requested the Erie County Legislature to approve the acquisition by Clarence Fillmore Cemetery Association of lands located in the Town of Clarence, New York, from Brothers of Mercy, Inc., such request being submitted by letter dated February 22, 2000, a copy of which is annexed hereto, and

WHEREAS, Brothers of Mercy, Inc., and the Clarence Fillmore Cemetery Association have entered into an agreement, the purpose of which is to set forth the terms and conditions of the proposed conveyance of certain land in the Town of Clarence, New York to the Clarence Fillmore Cemetery Association from Brothers of Mercy, Inc., and

WHEREAS, pursuant to Section 1506(c) of the New York State Not-for Profit Corporation Law, a cemetery corporation cannot take title to land in the County of Erie for cemetery purposes without first having obtained the consent of the Erie County Legislature, and

WHEREAS, Section 1506(c) of the New York State Not-for-Profit Corporation Law requires the Erie County Legislature to conduct a public hearing prior to consideration of granting consent, and said Section also sets forth the requirements for such public hearing, including the publication of such notice once a week for six (6) weeks in a newspaper designated to publish Session laws of the Erie County Legislature,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby order a public hearing to be held on the 11th day of May 2000, at 1:00 p.m. in the afternoon of said day at its chambers on the 7th floor of 25 Delaware Avenue, Buffalo, New York, 14202, and be it further

RESOLVED, that the attorney for the applicant is directed to publish notice of such public hearing, once a week for six (6) weeks in a newspaper designated to publish Session laws of the Erie County Legislature, on the application of the Clarence Fillmore Cemetery Association for the consent to acquire cemetery lands from the Brothers of Mercy, Inc., pursuant to Section 1506(c) of the New York State Not-for-Profit Corporation Law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Attorney and to Elizabeth M. DiPirro (74 Main Street, P.O. Box 31, Akron, New York 14001-0031) attorney for the applicant, Clarence Fillmore Cemetery Association.

FISCAL IMPACT: None for resolution.

MR. MARSHALL moved the approval of the resolution. **MS. PEOPLES** seconded.
MR. RANZENHOFER abstained.

CARRIED UNANIMOUSLY.

Item 17 – CHAIRMAN SWANICK directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 5-3 From LEGISLATOR DUSZA Re: Requesting State to Allow County & Local Option to Provide Firefighters & EMTs.

Item 18 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 73

Re: Waiver of Fees for Rural
Transit Service Annual
Picnic. (Intro. 5-4)

A RESOLUTION SUBMITTED BY LEGISLATORS
MARSHALL, LARSON, GREENAN, CHASE
WEINSTEIN, RANZENHOFER, KUWIK, FITZPATRICK, DUSZA & PAULY

WHEREAS, the Rural Transit Service is provides a vital means of transportation for the elderly, handicapped and low income person in rural areas of the county, and

WHEREAS, the Rural Transit Service provides more than 20,000 client trips per year for persons wishing to attend senior or other community functions and for others needing medical care, grocery shopping, and other necessities of life, and

WHEREAS, the vehicles in this program are manned by a corps of more than 150 volunteers who give unselfishly of their time without any monetary reimbursement, and

WHEREAS, on June 23rd, 2000, these volunteers will be honored at a recognition picnic at the Edward J. Martin Lodge at Chestnut Ridge Park, and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry has notified the Rural Transit Service that the fee for rental of this facility is \$90 (ninety dollars), and

WHEREAS, the Erie County Legislature must approve a resolution to effect a waiver of said fee,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby direct the Commissioner of the Erie County Department of Parks, Recreation and Forestry to waive the fees for the Rural Transit Service's recognition picnic for its volunteers to be held on June 23rd, 2000, And be it further

RESOLVED that a certified copy of this resolution be forwarded to County Executive Joel Giambra, Budget Director Joseph Passafiume, Commissioner of Parks, Recreation and Forestry Lawrence Jasinski and to Betsy Fadale, Rural Transit Service, PO Box 212, Brant, New York 14027.

Fiscal Impact: Minimal

MS. PEOPLES moved to amend the resolution by adding Legislators HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, and SWANICK as co-sponsors. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the approval of the resolution as amended. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

Item 19 – MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 74

Re: Fiscal Accountability at the
Niagara Frontier Transportation
Authority. (Intro. 5-5)

A RESOLUTION SUBMITTED BY LEGISLATOR DeBENEDETTI

WHEREAS, The Niagara Frontier Transportation Authority (NFTA) has recently hired former Representative Bill Paxon as their new Washington lobbyist at twice the salary as their last lobbyist, and

WHEREAS, The NFTA will now be paying \$12,000 a month for Paxon and his firm, Akin Gump, and

WHEREAS, The last lobbyist was a transit specialist, while Paxon's firm represents only one transit agency — and Paxon personally represents none, and

WHEREAS, The ability of Paxon and his firm to effectively lobby for the NFTA without possessing a background of representing transit agencies must therefore be further explored to ensure that the taxpayers are getting effective representation at such an inflated cost, and

WHEREAS, A thorough cost-benefit analysis comparing Akin Gump to the past lobbyist employed by the NFTA should be conducted,

WHEREAS, Questions about the process for the selection of Paxon's firm and the reasons for the failure to extend NFTA's relationship with its current contractor are not clear, and

WHEREAS, the performance objectives of a lobbying firm for the NFTA have never been clearly spelled out, and could be done within a hearing held in the Legislature's Finance and Management Committee,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature hereby reaffirms its commitment to providing effective and efficient public transportation as a tool for increased job opportunity and quality of life for the residents of this region, and be it further

RESOLVED, That this Honorable Body does hereby request that Niagara Frontier Transportation Authority Executive Director Lawrence Meckler appear at a future meeting of the Legislature's Finance and Management Committee to provide a cost-benefit analysis comparing the present and past lobbyists employed by the NFTA, and be it further

RESOLVED, That certified copies of this resolution be sent to Niagara Frontier Transportation Authority Executive Director Lawrence Meckler.

Fiscal Impact: \$12,000 per month for Paxon/Akin Gump lobbying contract.

MR. DeBENEDETTI moved to amend the resolution by adding Legislators PEOPLES, FISHER and PAULY as co-sponsors. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. DeBENEDETTI moved the approval of the resolution as amended. MS. PEOPLES seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES & SWANICK. NOES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER & WEINSTEIN. AYES – 11, NOES – 6.

CARRIED.

Item 20 – MR. GREENAN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 75

Re: CEASE Grant Travel
Reimbursement. (Intro. 5-6)

A RESOLUTION SUBMITTED BY LEGISLATORS
GREENAN, SWANICK, PEOPLES AND MARSHALL

WHEREAS, Erie County Sheriff Sgt. Gary Horton has been assigned to a unique one year program in Washington, D.C., with the United States Department of Transportation, Federal Railroad Administration to participate in a project entitled Enhancing the Development and Implementation of the Combined Enforcement and Safety Efforts (CEASE) Program, and

WHEREAS, this program is designed to help reduce highway grade crossing railroad collisions and trespassing, and

WHEREAS, the Federal Railroad Administration has awarded the County of Erie \$50,444 for reimbursement for participation in the CEASE Program, accepted by the County of Erie through a resolution adopted by the Erie County Legislature on September 23, 1999, and

WHEREAS, federal reimbursement to the County of Erie for Sgt. Horton's participation in the CEASE Program would provide for a meal reimbursement rate of approximately \$42 per day, and

WHEREAS, said program which requires stay away from home for one year is an unusual and unique training situation that does not necessarily fit within the established County travel guidelines, and

WHEREAS, current County guidelines establish a rate of reimbursement for meals at \$25 per day which does not adequately address the cost of meals in Washington, D.C.,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does again commend Sgt. Gary Horton for his efforts in accepting the one-year assignment to train with the Federal Railroad Administration, and be it further

RESOLVED, that the Erie County Legislature in concurrence with the Erie County Sheriff and in recognition of the unique nature of this work, does hereby authorize reimbursement to Sgt. Gary Horton in the amount of \$42 per day to be paid for meal allowance only for days worked and to be paid retroactively from the commencement of his assignment (August 8, 1999), and be it further

RESOLVED, that said action is adopted to address a unique situation that has not previously occurred within the Sheriff's Office and that said action shall in no way be interpreted as applying to any other travel reimbursement request made within the Sheriff's Office, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller, the Sheriff's Office and to Sgt. Gary Horton.

Fiscal Impact: To be determined.

MR. GREENAN moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 21 – MR. MARSHALL presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 76

Re: Support for Community Groups.
(Intro. 5 – 7)

A RESOLUTION SUBMITTED BY
LEGISLATOR MARSHALL

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$22,100 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
L. K. Painter Community Center	830/0550	\$3,000
North Collins Historical Society	830/	\$4,000

Boys & Girls Club of East Aurora, Inc.	830/0673	\$5,000
Southern Christian Leadership Conference	830/	\$3,000
Patchin Fire Company	830/	\$4,000
Brant Volunteer Fire Company #1, Inc.	830/0791	\$3,100
TOTAL		\$22,100

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agencies cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and to Lyndley Pryor, Executive Director, L.K. Painter Community Center, (2355 Main Street, Collins, NY 14031,) Joan Niedermeier, North Collins Historical Society, (4855 Shirley Road, North Collins, NY 14111,) Gary Schutrum, Executive Director, Boys & Girls Club of East Aurora, Inc.,(PO Box 36, 24 Paine Street, East Aurora, NY 14052), George C. Johnson, President, Southern Christian Leadership Conference, (Erie County Chapter, Ellicott Station, PO Box 1191, Buffalo, NY 14205-1191), James Pluta, Chief, Patchin Fire Company, (PO Box 173, 8333 Boston State Road, Boston, NY 14025), and Samuel Chiavetta, Brant Volunteer Fire Company #1, Inc., (Brant and Farnham Roads, Brant, NY 14027).

Fiscal Impact: Appropriation of 2000-budgeted funds.

MR. MARSHALL moved the approval of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 22 – CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 5-8 From LEGISLATORS LARSON, RANZENHOFER, CHASE, GREENAN, MARSHALL & WEINSTEIN Re: Support for Senate Bill (S.728) Allowing Finger-Printing of Persons Arrested for Agrivated Unlicensed Operation of a Motor Vehicle (2nd & 3rd).

Item 23 – CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 5-9 From LEGISLATORS GREENAN, CHASE, RANZENHOFER, WEINSTEIN, MARSHALL & LARSON Re: Support for Senate Bill (S.1109) Establishing Harassing Communications by Computer Network a Crime of Aggravated Harassment in 2nd Degree.

CHALLENGE TO THE CHAIR.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER & WEINSTEIN. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES & SWANICK. AYES – 6, NOES – 11.

Item 24 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 77

Re: Funding for Community Organizations. (Intro. 5–10)

A RESOLUTION SUBMITTED BY
LEGISLATOR DUSZA

1. WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and
2. WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and
3. WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,
4. NOW, THEREFORE, BE IT
5. RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$35,500 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921,

Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Cheektowaga Police	830/0926	\$6,000
Cheektowaga Senior Center	830/0255	\$6,000
Community Action Partnership	830/1046	\$3,500
Town of Lancaster Senior Center	830/0457	\$10,000
Depew-Lancaster Boys & Girls Club	830/0533	\$10,000
TOTAL		\$35,500

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agencies cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and to Lt. Christine M. Ziemba, Cheektowaga Police Department, (3223 Union Road, Cheektowaga, NY 14227-1080), Patricia Wojcik, Executive Director, Cheektowaga Senior Center, 3349 Broadway Street, Cheektowaga, NY 14227-1199), Gabrielle Dotterweich, Community Action Partnership, (3409 Genesee Street, Cheektowaga, NY 14225-5051), Supervisor Robert H. Giza, Town of Lancaster – Senior Center, (21 Central Avenue, Lancaster, New York 14086) and David A. Hoch, Executive Director, Depew-Lancaster Boys & Girls Club, Inc., (5440 Broadway, Lancaster, NY 14086).

Fiscal Impact: Appropriation of 2000-budgeted funds.

MS. PEOPLES moved to amend the resolution to add Legislator Larson as a co-sponsor.
MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

MR. DUSZA moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 25 – MS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 78

Re: Proposed School-Based Peer
Education Program in City of
Buffalo Public High Schools. (Intro.
5-11)

A RESOLUTION SUBMITTED BY LEGISLATORS FISHER,
PEOPLES, HOLT, PAULY, WEINSTEIN & SWANICK

WHEREAS, on December 16th, 1999 the Erie County Legislature approved Comm. 24E-15 which calls for the development and implementation of a school based peer education program in the Buffalo public high schools, and

WHEREAS, the transfer of funding for said program was contingent upon submission of a plan detailing the costs, goals and desired outcomes of said program, and

WHEREAS, the Erie County Department of Health has submitted Comm. 4D-6, the requested plan for a school based peer education program in the Buffalo public high schools, and

WHEREAS, Comm. 4D-6 was discussed and favorably disposed during the Legislature's Health/Mental Health Committee meeting on February 24th, 2000, and

WHEREAS, the Legislature must approve the plan presented by the Health Department for a school based peer education program in Buffalo Public High Schools before funding for said program can be released,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the plan submitted by the Department of Health for a school based peer education program in the Buffalo Public High Schools as defined in Comm. 4D-6, and be it further

RESOLVED, that this Honorable Body further authorizes the release of \$100,000 as defined in Comm. 24E-15 (1999) for the purpose of developing and implementing a school based peer education program in the Buffalo public high schools in cooperation with the City of Buffalo Board of Education, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of Health, the First Assistant County Attorney, the Budget Director, Mayor Anthony Massiello and the Buffalo Board of Education.

Fiscal Impact: None for resolution.

MS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 26 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 79

Re: Ensuring Proper Accounting of
ECMC Risk Retention Activity.
(Intro. 5-12)

A RESOLUTION SUBMITTED BY LEGISLATOR PEOPLES

Whereas, in October of last year the Erie County Comptroller released an audit relating to the County's Risk Retention Fund and

Whereas, in that report the Comptroller reported among other items that the General Fund was late in billing ECMC for reimbursements of settlements and expenses made on behalf of ECMC in 1998 and no billing had been done for 1999 activity, and

Whereas, the former County Attorney replied on December 31, 1999 that the billing was the responsibility of the Budget Office and the County Comptroller, and

Whereas, the Deputy Comptroller of Audit & Control reported on February 2, 2000 disputing the response of the former County Attorney and contending that approximately \$947,000 has not been properly billed to ECMC for 1999 services rendered and expenses related to ECMC, and

Whereas, the Erie County Legislature has been advised that the County Comptroller is in process of closing the County's 1999 financial activity, and

Whereas, if the Deputy Comptroller of Audit & Control is correct in his assertions of February 2 then ECMC risk retention activity has not been properly accounted for in 1999, and

Whereas, it is in the best interest of Erie County's taxpayers and the financial community, which depends on the accuracy of the County's financial statements in making many decisions regarding the financial condition of the County, to have the most accurate accounting records.

Now, therefore be it

Resolved, that the County Comptroller, County Attorney and Director of Budget & Management shall confirm that the 1999 ECMC Risk Retention activity billing has not been done and if so coordinate and bill the final Risk Retention billing to ECMC for reimbursements of settlements and expenses made on behalf of ECMC during 1999, and be it further

Resolved, that these final 1999 billings should be reflected in the 1999 County Financial Statements, and be it further

Resolved, that the County Comptroller, as the County's Chief Accounting Officer, report to this Honorable Body within thirty days of closing of the County's books that proper billing to ECMC was processed and the amount of that billing, and be it further

Resolved, that a proper accounting policy and procedure be in place and followed by all parties involved to assure that future billings to ECMC from the Risk Retention fund are reflected accurately and timely in the County's financial statements, and be it further

Resolved, that certified copies of this resolution be sent to County Comptroller Nancy A. Naples, County Attorney Frederick A. Wolf, Deputy Comptroller-Audit & Control John S. Rizzo and Director of Budget & Management Joseph Passafiume.

Fiscal Impact: Positive. Accurate Financial Statements

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 27 – CHAIRMAN SWANICK directed that the following resolution be referred to the REGIONALISM AD HOC COMMITTEE.

GRANTED.

Intro. 5-13 From LEGISLATOR FITZPATRICK Re: Seeking Information on Dunn Tire Park.

Item 28 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. KUWIK seconded. MR. WEINSTEIN and MR. OLMA voted in the negative.

CARRIED.

RESOLUTION NO. 80

Re: Financial Irregularities at the Broadway Market and Its Impact on County Property Taxpayers. (Intro. 5-14)

A RESOLUTION SUBMITTED BY LEGISLATORS
SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT,
FISHER, DeBENEDETTI, DUSZA & MARINELLI

WHEREAS, the Broadway Market has a long and proud history as an ethnic, commercial and social center within Buffalo's East side, and

WHEREAS, the Broadway Market's traditions stretch beyond the area in which it is located; people from throughout Western New York visit the Broadway Market at or around holiday seasons each year, and

WHEREAS, the Broadway Market is a creature of Buffalo City government, with its board of directors appointed by various officials of the city of Buffalo, including the Mayor, the City Comptroller and the Common Council, and

WHEREAS, in recent weeks, reports of financial irregularities concerning the operation of the Broadway Market have surfaced, and

WHEREAS, Broadway Market officials admit that financial irregularities were discovered in a story printed in *The Buffalo News* dated February 22, 2000, and

WHEREAS, according to published reports, Broadway Market officials have only recently learned of these financial irregularities, which include the alleged filing of false financial reports and the Market's failure to pay more than one year's worth of electric bills owed to Niagara Mohawk, and

WHEREAS, the Market's Board of Directors is seeking and is likely to receive an immediate grant from the City of Buffalo of \$135,000 to cover the cost of outstanding electric bills, and is further seeking an agreement that city taxpayers pay the costs of electricity not charged to the Market's tenants, and

WHEREAS, concern about improprieties with respect to the Market's finances raise concern for members of this Honorable Body as well, and

WHEREAS, Erie County provided \$50,000 in funding to the Broadway Market in the 1999 Erie County budget for regional agricultural marketing, a worthy program intended to enhance agricultural initiatives throughout Buffalo and Erie County, and

WHEREAS, funding for the same initiative was included in the county's 2000 budget, and

WHEREAS, in that there are concerns about the Market's finances generally at this time, so too should county taxpayers be concerned that the funds allocated by Erie County in 1999 were accounted for and utilized properly and in accordance with the law, and

WHEREAS, those same concerns raise a “red flag” with respect to the county’s allocation to the Broadway Market in the county’s 2000 budget, suggesting that the county temporarily suspend its plans to allocate, and

WHEREAS, Buffalo City Comptroller Anthony Nanula has announced plans to perform an audit of the Broadway Market’s operations, in order to officially review the Market’s finances and comprehensively review its operations, and

WHEREAS, it would be in the best interests of county property taxpayers for Comptroller Nanula’s review to include a review of the county funds allocated to the Broadway Market for regional agricultural marketing, to ensure that county taxpayers are not held financially liable for bookkeeping and management errors on the part of the Broadway Market’s management and/or board of directors, and

WHEREAS, while not enacting a plan to re-direct or otherwise rescind funds from this worthy project, it would similarly be in the best interests of county taxpayers for the Legislature to temporarily suspend plans to process year 2000 budget funding for the Broadway Market’s regional agricultural marketing program unless and until such time that this Honorable Body is satisfied that the alleged financial irregularities have been suitably addressed through the City Comptroller’s audit,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to ensuring that public funds are expended in a manner consistent with the laws, rules and regulations of the state of New York and the local laws of the county of Erie, and be it further

RESOLVED, that this Honorable Body does hereby express its concern with respect to reports of financial irregularities at the Broadway Market, and be it further

RESOLVED, that this Honorable Body does hereby request the Buffalo City Comptroller examine the use by the Broadway Market of \$50,000 in county funds earmarked by the county and allocated to the Broadway Market in 1999 for regional agricultural marketing, and include said examination within any audit or review his office undertakes with respect to this issue, and be it further

RESOLVED, that the Buffalo City Comptroller is hereby requested to send one (1) copy of said audit or review to the Clerk of the Erie County Legislature, upon its completion and official release, and be it further

RESOLVED, that this Honorable Body does hereby declare a 45 day moratorium upon any and all plans to process funding for the Broadway Market, pursuant to the 2000 Erie County Budget, as amended, unless and until such time that this Honorable Body is satisfied that the concerns raised within this resolution have been suitably addressed, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Attorney Frederick Wolf, Buffalo Mayor Anthony Masiello, Buffalo Common Council President James Pitts, Buffalo City Comptroller Anthony Nanula, and to Broadway Market Management Corporation Executive Director Rodney Hensel.

Fiscal Impact: To be Determined.

MR. OLMA moved to send Intro. 5 –14 to the Finance & Management Committee. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN, HOLT & OLMA. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, KUWIK, MARINELLI, PEOPLES & SWANICK. AYES – 8, NOES – 9.

FAILED.

MR. LARSON moved to amend the resolution by deleting the second last Resolve Clause. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN & OLMA. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES & SWANICK. AYES – 7, NOES – 10.

FAILED.

MS. PEOPLES moved the approval of the resolution. MR. KUWIK seconded. Legislators GREENAN, LARSON, MARSHALL, WEINSTEIN, and OLMA voted in the negative.

CARRIED.

Item 29 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 81

Re: Collins Agricultural District –
Erie County #8 8-Year
Review. (Intro. 5-15)

A RESOLUTION SUBMITTED BY
LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA,
DeBENEDETTI, DUSZA, MARINELLI, MARSHALL, GREENAN, CHASE,
PAULY, WEINSTEIN, RANZENHOFER & LARSON

RESOLVED, that the Clerk of the Legislature be directed to hold a Public Hearing on March 23, 2000, at 7:30 p.m. at the Collins Town Hall, P.O. Box 420, 10493 Mill Street, Collins, New York, 14034, concerning the 8-year review of the Collins Agricultural District, Erie County #8, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to publish said Notice of Public Hearing in the newspaper having general circulation within the Collins Agricultural District, to so notify the affected municipality and any property owners affected by any proposed modifications (additions/deletions) to the Collins Agricultural District.

FISCAL IMPACT: None for resolution.

MS. PEOPLES moved the approval of the resolution. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 30 - CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 5-16 From LEGISLATOR WEINSTEIN Re: Preserving Our County's Historic Residences.

Item 31 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded. Legislators CHASE, GREENAN, LARSON, MARSHALL, and WEINSTEIN voted in the negative.

CARRIED.

RESOLUTION NO. 82

Re: Purchase of a New Vehicle for
the County Executive Without
Legislative Authorization.
(Intro. 5-17)

A RESOLUTION SUBMITTED BY
LEGISLATOR PEOPLES

WHEREAS, the Erie County Executive is authorized assignment of a county owned vehicle on a 24 hour a day basis, and

WHEREAS, such was the case with previous County Executives, and

WHEREAS, the County Executive has authorized the 24-hour per day assignment of a county vehicle to his Deputy County Executives, with Chief of Staff Bruce Fisher assigned one of the county's pool cars, and Deputy County Executive Carl Calabrese, in fact utilizing the vehicle formerly used by the former County Executive, and

WHEREAS, as a result of this action, County Executive Joel A. Giambra has authorized the purchase of a new vehicle for his use, and

WHEREAS, said vehicle is a 1999 Chevrolet Suburban, a vehicle presented to the county as "nearly new" with only a few hundred miles of service on its odometer, and

WHEREAS, Erie County government is authorized to purchase vehicles from New York State's competitively bid contract, and

WHEREAS, the automobile in the same class as the Chevrolet Suburban that is authorized for purchase off of said state contract is the Lincoln Navigator, at a price of \$27,795, and

WHEREAS, the County Executive's insistence upon the Chevrolet Suburban needlessly cost taxpayers an additional \$5,805, and

WHEREAS, former County Executive Dennis Gorski authorized the purchase of a new vehicle, in his case, a Pontiac Bonneville sedan which cost slightly more than \$19,000 in 1996, which was purchased from the state contract, and

WHEREAS, County Executive Gorski sought authorization from the Legislature to make said purchase, and

WHEREAS, County Executive Giambra did not seek authorization from the Legislature for the purchase of his new vehicle, and

WHEREAS, this Honorable Body must determine if, in fact, the purchase of this new vehicle was in accordance with the county's normal procedures, and should ascertain the reason why this purchase was not presented to the Legislature for authorization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby request the presence of officials of the Giambra administration at a meeting of the Legislature's Finance and Management Committee to discuss the following issues:

- a. Why are the Deputy County Executives assigned county vehicles on a 24 hour basis when this was not the case in the past, and why was Deputy County

Executive Calabrese assigned the car formerly assigned to County Executive Gorski?

- b. Why was the process not subject to the authorization of the Legislature, as was the case during the Gorski administration?
- c. Why did the County Executive choose not to save nearly \$6,000 in taxpayer dollars by purchasing a Lincoln Navigator from the state contract, as was done in the past by the Gorski administration?

and be it further

RESOLVED, that this Honorable Body does hereby request the presence of representatives of the Office of the County Executive, the Department of Law and the Division of Purchase to attend said meeting of the Finance and Management Committee to respond to the aforementioned issues, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Attorney Frederick Wolf and Purchase Director Joseph X. Martin.

Fiscal Impact: Impact of Purchase of New Vehicle: \$33,500

MS. PEOPLES moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

DELETE the following from the seventh WHEREAS clause:

... Lincoln Navigator ...

and REPLACE with the following:

... Ford Expedition ...

DELETE the following from the first RESOLVED clause:

... Lincoln Navigator ...

and REPLACE with the following:

... Ford Expedition ...

MR. GREENAN moved to amend the resolution by deleting all Whereas clauses. MR. LARSON seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, & WEINSTEIN. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, & SWANICK. AYES – 6, NOES – 11.

FAILED.

MS. PEOPLES moved to amend the resolution. MR. HOLT seconded.

DELETE, in their entirety, the first and second RESOLVE clauses, and REPLACE with the following:

RESOLVED, that this Honorable Body does hereby request the County Executive to develop a proposed procedure for the future purchase of vehicles for use by the County Executive, and submit said proposal to the Clerk of the Erie County Legislature for review by this Honorable Body, and be it further

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES & SWANICK. AYES – 17, NOES – 0.

CARRIED UNANIMOUSLY.

MR. MARSHALL moved to receive and file Intro. 5 – 17. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN & OLMA. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES & SWANICK. AYES – 7, NOES – 10.

FAILED.

MS. PEOPLES moved the approval of the resolution as amended. MR. HOLT seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES & SWANICK. NOES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER & WEINSTEIN. AYES – 11, NOES – 6.

CARRIED.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 32 – MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 3E-17. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 83

Re: Salary Scale Creation;
Designation of Titles.

WHEREAS, the County Executive has developed a new Managerial/Confidential Department Heads/Executive Staff pay scale which reflects 1999 Management/Confidential pay rates, and

WHEREAS, the Erie County Legislature, by Resolution (Ref. Comm. IE-29 as amended), has authorized a new Managerial/Confidential salary schedule to apply to Department Heads, Deputy Department Heads and Executive Staff for the 2000 budget, and

WHEREAS, the County Executive wishes to use this new scale to compensate his appointees, including Department Heads, Deputy Department Heads and Executive Staff, and

WHEREAS, no additional funds will be needed to implement this change,

NOW, THEREFORE, BE IT

RESOLVED, that the titles indicated below will be compensated, effective January 2000 from the new Managerial/Confidential Department Heads/Executive Staff pay scale.

Assistant Director Center for Cooperative Economic Growth
Commissioner of Emergency Services
Commissioner of Environment and Planning
Commissioner of Mental Health
Commissioner of Public Works
Commissioner of Parks and Recreation
Commissioner of Senior Services
Commissioner of Youth Services and Detention
Coordinator-Erie County Coordinating Council on Children and Families
Coordinator Pre-Trial Release Program
County Attorney
Deputy Commissioner, Buildings and Grounds
Deputy Commissioner Fire Safety
Deputy Commissioner of Parks
Deputy Commissioner of Planning and Economic Development
Deputy Commissioner of Recreation
Deputy Director of Probation
Director Center for Cooperative Economic Growth
Director of Budget and Management

Director of Central Data Processing
Director of Contract Compliance
Director of Equal Employment Opportunity
Director of Probation
Executive Director Commission on Status of Women
First Assistant County Attorney
First Deputy Service Officer
Purchasing Director
Second Assistant County Attorney
Second Assistant County Attorney (Labor Relations)
Senior Budget Consultant
Senior Executive Assistant County Executive
Superintendent, Correctional Facility
Veterans' Service Officer

and be it further

RESOLVED, that the titles indicated below will also be compensated from the new Managerial/Confidential Department Heads/Executive Staff pay scale when the current incumbent is replaced by a new appointee to that title.

Associate Commissioner-Mental Health Health
Commissioner of Central Police Services
Commissioner of Health
Deputy Commissioner Civil Defense and Disaster Preparedness
Deputy Commissioner-Detention
Deputy Commissioner-Director Real Property Tax Services
Deputy Commissioner Emergency Medical Services
Deputy Commissioner-Highways
Deputy Commissioner of Health
Deputy Commissioner of Environmental Control
Deputy Commissioner-Sewerage Management
Deputy Commissioner-Youth Services
Deputy Director-Purchase
Deputy Superintendent, Correctional Facility
Director of Information and Support Services

and be further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget, Management and Finance, the Department of Personnel and the Office of the Comptroller.

MS. PEOPLES moved to amend the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

DELETE the first and second RESOLVE clauses in their entirety and REPLACE with the following RESOLVES.

RESOLVED, that the titles indicated below will be compensated, effective January 1, 2000 from the new Managerial/Confidential Department Heads/Executive Staff pay scale at the indicated amounts, in all cases variable minimums.

DEPARTMENT	POSITIONS TITLE	GRADE	2000
		STEP	SALARY SCALE

COUNTY EXECUTIVE	COORDINATOR ECCCCF - GRANT	13-3	50,018
	DIRECTOR OF CONTRACT COMPLIANCE -GRANT	17-3	75,423
	SENIOR EXECUTIVE ASSISTANT CE (4@\$65,040)	16-2	260,160
	JUNIOR SECRETARY COUNTY EXECUTIVE	4-3	24,590
CENTER FOR COOP ECONOMIC GROWTH	DIRECTOR CENTER FOR COOP ECON GROWTH	19-3	89,883
	ASSISTANT DIRECTOR CENTER	15-3	62,142
BUDGET,MGT & FINANCE	DIRECTOR OF BUDGET & MANAGMENT	19-5	99,780
	SENIOR BUDGET CONSULTANT	17-3	75,423
LAW	COUNTY ATTORNEY	21-5	116,890
	FIRST ASSISTANT COUNTY ATTORNEY	19-3	89,883
	SECOND ASSISTANT COUNTY ATTORNEY (2@\$75,423)	17-3	150,846
	SECOND ASSISTANT COUNTY ATTORNEY (LABOR RELATIONS)	17-3	75,423
PUBLIC WORKS-COMMISSIONERS	COMM OF PUBLIC WORKS	20-3	97,546
PUBLIC WORKS-BUILDINGS & GROUNDS	DEPUTY COMM BUILDINGS & GROUNDS	16-3	68,796
EQUAL EMPLOYMENT OPPORTUNITY	DIRECTOR OF EQUAL EMPLOYMENT OPPORTUNITY	13-3	50,018
STATUS OF WOMEN	EXEC DIRECTOR COMM ON STAUS OF WOMEN	13-3	50,018
INFORMATION & SUPPORT SERVICES	DIRECTOR OF CENTRAL DATA PROCESSING	17-3	75,423
INFORMATION & SUPPORT SERVICES-PURCHASING	PURCHASING DIRECTOR	17-3	75,423
CORRECTIONAL FACILITY	SUPERINTENDENT CORRECTIONAL FACILITY	17-3	75,423
HEALTH	JUNIOR ADMINISTRATIVE CONSULTANT CE	10-3	38,524
PROBATION	DIRECTOR OF PROBATION	17-3	75,423
	DEPUTY DIRECTOR OF PROBATION	14-3	55,944

	COORDINATOR PRE TRIAL RELEASE PROGRAM - GRANT	13-3	50,018
EMERGENCY SERVICES	DEPUTY COMM FIRE SAFETY	13-3	50,018
MENTAL HEALTH-ADMIN	COMM OF MENTAL HEALTH	20-3	97,546
VETERANS SERVICES	VETERANS SERVICE OFFICER	15-3	62,142
	FIRST DEPUTY SERVICE OFFICER	12-3	45,700
SENIOR SERVICES	COMM OF SENIOR SERVICES	17-3	75,423
PARKS	COMMISSIONER OF PARKS & REC	17-3	75,423
	DEPUTY COMMISSIONER OF PARKS	15-3	62,142
PARKS-RECREATION	DEPUTY COMMISSIONER OF REC	14-3	55,944
ENVIRONMENT & PLANNING	COMM OF ENVIRONMENT & PLANNING	20-3	97,546
	DEPUTY COMM OF PLANNING & ECONOMIC DEVELOPMENT	17-3	75,423
YOUTH SERVICES	COMM OF YOUTH SERV & DETENTION	17-3	75,423

and be it further,

RESOLVED, that the titles indicated below will be compensated from the new Managerial/Confidential Department Heads/Executive Staff pay scale at the indicated amounts, in all cases variable minimums, when the current incumbent is replaced by a new appointee to that title.

DEPARTMENT	POSITIONS TITLE	GRADE	2000
		STEP	SALARY SCALE
BUDGET,MGT & FINANCE	DEPUTY COMM DIRECTOR REAL PROPERTY TAX SERVICES	16-3	68,796
INFORMATION & SUPPORT SERVICES	DIRECTOR OF INFORMATION & SUPPORT SERVICES	17-3	75,423
INFORMATION & SUPPORT SERVICES-PURCHASING	DEPUTY DIRECTOR-PURCHASE	12-3	45,700
CENTRAL POLICE SERVICES	COMM OF CENTRAL POLICE SERVICES	18-3	82,322
CORRECTIONAL FACILITY	DEPUTY SUPT CORRECTIONAL FACILITY (2@\$55,944)	14-3	111,888
EMERGENCY SERVICES	COMM OF EMERGENCY SERVICES	16-3	68,796
	DEPUTY COMM CIVIL DEF & DISASTER PREPAREDNESS	13-3	50,018
HEALTH	COMM OF HEALTH	21-3	105,204
	DEPUTY COMM HEALTH	19-3	89,883

HEALTH-EMS	DEPUTY COMM EMS	13-3	50,018
ENVIRONMENT & PLANNING	DEPUTY COMM ENVIRONMENTAL CONTROL	17-3	75,423
	DEPUTY COMM-SEWERAGE MANAGEMENT	18-3	82,322
YOUTH SERVICES	DEPUTY COMM YOUTH SERVICES	14-3	55,944
YOUTH SERVICES-DETENTION	DEPUTY COMM DETENTION	14-3	55,944
ROAD FUND	DEPUTY COMM HIGHWAYS	18-3	82,322

and be it further,

RESOLVED, that the following variable minimums are hereby approved for the following titles commencing January 1, 2000 as follows on the 2000 Managerial Confidential or CSEA scale as appropriate

DEPARTMENT	POSITIONS TITLE	GRADE	2000
		STEP	SALARY SCALE

COUNTY EXECUTIVE	ASSISTANT COORDINATOR-STOP DWI	9-3	36,822
	COMMUNITY OUTREACH SPECIALIST-STOP DWI	9-3	36,822
EMERGENCY SERVICES	EMERGENCY SERVICES COORDINATOR	9-5	40,695
LAW	SECRETARY-COUNTY ATTORNEY	8-3	34,131
VETERANS SERVICES	ADMINISTRATIVE ASSISTANT-CE	9-3	36,822
YOUTH	DIRECTOR OF SERVICES TO CHILDREN WITH SPECIAL NEEDS	12-3	46,956
	DEPUTY COMMISSIONER -YOUTH SERVICES (FINANCE/ADMIN)	15-3	62,142

and be it further

RESOLVED, that once a variable minimum is approved for a particular position or job title, said variable minimum shall be in effect for all employees placed in said position during the year, and be it further

MS. PEOPLES moved the approval of the resolution as amended. MR. HOLT seconded
CARRIED UNANIMOUSLY.

Item 33 – MR. DeBENEDETTI moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 4E-26. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 84

Re: People Community Housing
Development Corporation: Housing
for Low Income Seniors and
Developmentally Disabled
Individuals.

RESOLVED, that the County Executive is hereby authorized to enter into all necessary agreements with People Community Housing Development Corporation (PCHDC) for the purpose of developing the Farnham-School Apartments in the Village of Farnham for low income seniors and developmentally disabled individuals, and be it further

RESOLVED, that said agreements shall provide for payment not to exceed \$337,200 to PCHDC, and be it further

RESOLVED, that the source of funds shall be a transfer to PCHDC from Federal HOME Investment Partnership monies allocated to the Erie County/Town of Hamburg HOME Investment Partnership Consortium in the 1998 (\$162,300) and 1999 (\$174,900) grant program years, and be it further

RESOLVED, that disbursement of said funds shall be conditioned on the following:

- 1.) Completion of all state and federal environmental review requirements relative to the housing project.
- 2.) County legislative approval of a Payment in Lieu of Taxes (PILOT) Agreement with People Community Housing Development Corporation should such an agreement be requested by the organization.
- 3.) County legislative approval of any property tax settlement plan with the Southtowns Rural Preservation Company (SRPC) and People Community Housing Development Corporation as pertains to the housing project.
- 4.) Completion of all necessary subsidy layering analyses as required by the federal Department of Housing and Urban Development, and be it further

RESOLVED, that the request for proposal provision of Section 19.08 of the Erie County Administrative code was complied with by the Department of Environment and Planning, and a summary is included as Attachment A to this resolution, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of the Division of Budget, Management, and Finance, the County Comptroller and the Commissioner of Environment and Planning.

MR. DeBENEDETTI moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 34 – MR. GREENAN moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 4E-18. MR. MARSHALL seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN, & OLMA. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, & SWANICK. AYES – 7, NOES – 10.

FAILED.

Item 35 – MR. MARSHALL moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 4E-11. MS. CHASE seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN & OLMA. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES & SWANICK. AYES – 7, NOES – 10.

FAILED.

SUSPENSION OF THE RULES

Item 36 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

Comm. 5M-13 From JOHN B. SHEFFER, II DIRECTOR OF UB'S INSTITUTE FOR LOCAL GOVERNANCE AND REGIONAL GROWTH Re: A Report Entitled Western New York Regional Economic Development Database (REDD) Phase I: Recommended Action Plan and Database Design.

CHAIRMAN SWANICK directed that Comm. 5M-13 be referred to the REGIONALISM AD HOC COMMITTEE.

GRANTED.

Item 37 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded

GRANTED.

Comm. 5E-30 From MAJORITY LEADER PEOPLES Re: Letter to Comptroller Nancy Naples Regarding County Omnibus Resolutions.

CHAIRMAN SWANICK directed that Comm. 5E-30 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 38 – (Comm. 5E-1) Appointment of Richard A. Hutchens to Convention & Visitors Bureau Board.

Received and filed.

FROM THE COMPTROLLER

Item 39 – (Comm. 5E-2) Form & Details of Sale & Issuance of \$3,157,904 EFC Sewer System Serial Bonds – 2000-A.

Item 40 – (Comm. 5E-3) Form & Details of Sale & Issuance of \$221,673 EFC Sewer System Serial Bonds – 2000-B.

The above two items were received and filed.

FROM LEGISLATOR CHASE

Item 41 – (Comm. 5E-4) Notice of Absence from Social Services Committee Meeting Held 2/24/00.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 42 – (Comm. 5E-5) Letter to Chairman Swanick Re: Requesting Amd. Comm. 14E-14 (1999) to Disallow Accrual of Vacation Credits for All Employees App by Co Exec.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

FROM THE COMPTROLLER

Item 43 – (Comm. 5E-6) State Authorization to Arrange for the Underwriting & Private Sale of Bonds on Notes Through Negotiated Agreement.

Item 44 – (Comm. 5E-7) Apportionment and Distribution of the 4% Sales Tax Revenue Received by Erie County From NYS for February, 2000.

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 45 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 85

Re: Sheriff – Asset
Forfeiture Fund
Appropriations – Project
#493. (Comm. 5E-8)

WHEREAS, procedures have been established by Resolution # Int. 23-3 adopted on December 1, 1994, and

WHEREAS, there are adequate funds for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account, and

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that \$39,330 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Grant, Project #493, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE ASSET FOREITURE GRANT – PROJECT #493

<u>REVENUE</u>		<u>Increase</u>
502	Forfeiture Crime Proceeds	<u>39,830</u>
	Total Revenue	<u>39,830</u>
<u>APPROPRIATION</u>		<u>Increase</u>
825	Out of Area Travel	3,400
826	Miscellaneous Expenses	1,000
880	Interfund Transfers	3,930
930	Automotive Equipment Equipment	26,000
933	Equipment	<u>5,500</u>
	Total Appropriations	<u>39,830</u>

DEPARTMENT 151 - SHERIFF'S OFFICE - HOLDING CENTER DIVISION

<u>REVENUE</u>		<u>Increase</u>
685	Interfund Revenue	<u>3,930</u>
	Total Revenue	<u>3,930</u>
<u>APPROPRIATION</u>		<u>Increase</u>
800	Personal Services	3,650
805	Fringe Benefits	<u>280</u>
	Total Appropriations	<u>3,930</u>

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller and the Office of the Sheriff for implementation.

MS. PEOPLES moved the approval of the resolution. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 46 – (Comm. 5E-9) Central Police Services – NYS CODIS Grant.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 47 – (Comm. 5E-10) Social Services – NY Works Block Grant (NYWBG).

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 48 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 86

Re: Amendment to
Collective Bargaining
Agreement Regarding
County Executive
Appointees. (Comm. 5E-11)

WHEREAS On July 15, 1999 this Honorable Body passed, at the request of the then-County Executive, a collective bargaining agreement extending to all employees not covered by the collective bargaining unit, including managerial/confidential, part-time, hourly, seasonal and flat salaried employees all provisions of the contract with the Civil Service Employees Association; and

WHEREAS, the current County Executive has inquired as to how certain provisions of this agreement affects his appointees; and

WHEREAS, pursuant to State Law the County Executive maintains responsibility for negotiating all Collective Bargaining Agreements; and

WHEREAS, the County Legislature is limited by State Law in its oversight in labor agreements to accept or reject *in toto* all agreements as recommended by the County Executive; and

WHEREAS, in case of impasse between any labor union and the administration the County Legislature does not have the power to diminish any benefit; and

WHEREAS, County Executive Joel A. Giambra wishes to adjust certain provisions of the bargaining agreement as it was extended to non-bargaining unit employees on July 15, 1999; and

WHEREAS this Honorable Body wishes to follow the County Executive's desires as to benefits extended to his particular appointees;

NOW, THEREFORE, BE IT,

RESOLVED, that Section 15.8 of the Collective Bargaining Agreement by and between the County of Erie and the Civil Service Employees Association, Inc., Local 1000 A.F.S.C.M.E.,

AFL-CIO Erie unit of Local 815, stating "An employee who resigns, retires, or is laid off prior to taking his vacation, shall be compensated for the accumulated vacation credits. The employee's estate will receive compensation for an employee's unused vacation in the case of death of the employee," shall not be extended to County Executive Joel A. Giambra's appointees, effective April 1, 2000, and as detailed in this resolution; and be it further

RESOLVED, that the practice of "cashing out" compensatory time ("comp time") by an employee who resigns, retires, or is laid off prior to utilizing his or her compensatory time shall not be extended to the appointees of County Executive Joel A. Giambra, effective April 1, 2000, and as detailed in this resolution; and be it further

RESOLVED, that the maximum vacation credits that can be accrued in a given year shall be eighty (80) hours (two weeks), and be it further

RESOLVED that this Resolution shall in no way affect, alter, diminish, nor prevent an employee or his/her estate from "cashing out" or receiving a "cashout" of vacation credits or compensatory time accrued up to April 1, 2000, if he/she has prior County service and has transferred or has been reappointed to one of the titles listed below, and be it further

RESOLVED that the following titles shall be affected by this change:

Assistant Director, Center for cooperative Economic Growth
Commissioner of Emergency Services
Commissioner of Environment and Planning
Commissioner of Mental Health
Commissioner of Public Works
Commissioner of Parks, Recreation & Forestry
Commissioner of Senior Services
Commissioner of Youth Services & Detention
Coordinator, Erie County Coordinating Council on Children & Families
Coordinator, Pre-Trial Release Program
County Attorney
Deputy Commissioner, Buildings & Grounds
Deputy Commissioner, Fire Safety
Deputy Commissioner, Parks
Deputy Commissioner, Planning & Economic Development
Deputy Commissioner of Recreation
Deputy Director, Probation
Director, Center for Cooperative Economic Growth
Director of Budget & Management
Director of Central Data Processing
Director of Contract Compliance
Director of Equal Employment Opportunity
Director of Probation
Executive Director, Commission on Status of Women
First Assistant County Attorney
First Deputy Service Officer

Purchasing Director
Second Assistant County Attorney
Second Assistant County Attorney (Labor Relations)
Senior Budget Consultant
Senior Executive Assistant County Executive
Superintendent, Correctional Facility
Veterans' Services Officer
Secretary to County Executive
Secretary to Deputy County Executive
Junior Administrative Consultant, County Executive
Secretarial Assistant, County Executive
Junior Secretary, County Executive
Receptionist, County Executive
Associate Commissioner, Mental Health
Commissioner of Central Police Services
Commissioner of Health
Deputy Commissioner, Civil Defense & Disaster Preparedness
Deputy Commissioner, Detention
Deputy Commissioner-Director Real Property Tax Services
Deputy Commissioner, Emergency Medical Services
Deputy Commissioner, Highways
Deputy Commissioner, Health
Deputy Commissioner, Environmental Control
Deputy Commissioner, Sewerage Management
Deputy Commissioner, Youth Services
Deputy Director, Purchase
Deputy Superintendent, Correctional Facility
Director of Information and Support Services

and be it further

RESOLVED that this Resolution is not intended nor does it amend, alter, diminish or change any other portions or provisions of the Collective Bargaining Agreement by and between the County of Erie and the Civil Service Employees Association, Inc., Local 1000, A.F.S.C.M.E., AFL-CIO Erie Unit of Local 815, other than those portions or provisions specifically detailed above, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, and Personnel Commissioner Leonard R. Lenihan.

Fiscal Impact: Positive

MS. PEOPLES moved the approval of the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 49 – (Comm. 5E-12) County Attorney – Indian Land Claim Settlement Defense Capital Project.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 50 – (Comm. 5E-13) EC Coordinating Council on Children & Families – to Extend the Contract Through 12/31/00 with Gelia Wells & Mohr for “Ask the Kids” Campaign.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 51 – (Comm. 5E-14) Appointments to EC Juvenile Justice Advisory Committee.

Received, filed and printed.

February 25, 2000

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

RE: Erie County Juvenile Justice Advisory Committee

Dear Members:

I, Joel A. Giambra, Erie County Executive, do hereby appoint the following individuals to the Erie County Juvenile Justice Advisory Committee.

George Alexander
Director, Department of Probation
25 Delaware Avenue
Buffalo, New York 14202

Katherine Coyle
Department of Probation
25 Delaware Avenue
Buffalo, New York 14202

Susan Davidson
Director, Council on Children & Families
Rath Building, 16th Floor
Buffalo, New York 14202

Michael Weiner
Commissioner, Dept. of Mental Health
Rath Building

Buffalo, New York 14202

Respectfully submitted,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

Item 52 – (Comm. 5E-15) Appointments to County Development Coordination Board.

Received, filed and printed.

February 25, 2000

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, NY 14202

Re: Appointments to County Development Coordination Board

Dear Members:

Pursuant to Section 308-A of the Erie County Charter, I Joel A. Giambra, Erie County Executive, do hereby appoint in their titled capacities the following to the County Development Coordination Board.

NAME	TITLE
Arnold N. Lubin, M.D.	Commissioner, Department of Health
Maria C. Lehman, P.E.	Commissioner, Department of Public Works
Lawrence D. Jasinski	Commissioner, Department of Parks, Recreation & Forestry
Laurence K. Rubin	Commissioner, Department of Environment & Planning
David Hahn-Baker 440 Lincoln Parkway Buffalo, NY 14216	Chairman Environmental Management Council

Sincerely,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

cc: Arnold N. Lubin
Maria C. Lehman
Lawrence D. Jasinski
Laurence K. Rubin

David Hahn-Baker

Item 53 – (Comm. 5E-16) NYS Department of State: Quality Communities Demonstration Program – Grant Applications.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – (Comm. 5E-17) Health – HIV Surveillance & Partner Notification Grant 10/1/99 – 9/30/00.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 55 – (Comm. 5E-18) Health – HIV/AIDS Adolescent Peer Educators.

Received and referred to the HEALTH COMMITTEE.

Item 56 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 87

Re: ECSD Nos. 1,4 & 5 –
Administration Building Extension
Project Contract D – Electrical
Rescind Contract Award. (Comm.
5E-19)

WHEREAS, the County of Erie had awarded an electrical construction contract to Hendler Electric, Inc. on December 16, 1999 (Reference Comm. 13E-26) in the amount of \$204,900.00 for electric work on the Northern Region Administration Building; and

WHEREAS, Hendler Electric, Inc. after repeated requests, has failed to execute the construction contract and provide the required insurance, and performance and maintenance bonds; and

WHEREAS, the County has executed construction contracts with the other three prime contractors on the project and these other prime contractors are being delayed pending the execution of an electrical construction contract; and

WHEREAS, the failure of Hendler Construction, Inc. to execute the construction contract and provide the required bonds is a default of their bid bond; and

WHEREAS, the second low bidder for the Electrical Contract, Contract “D”, is Industrial Power and Lighting, Corporation with a total bid of \$229,400.00; and

WHEREAS, Industrial Power and Lighting Corporation has agreed to extend their bid and expressed a willingness to execute a construction contract and supply the required bonds.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Sewer District Nos. 1, 4 and 5 - Northern Region Administration Building Electrical Contract, Contract "D" awarded to Hendler Electric, Inc. be, and hereby is, rescinded due to default by Hendler Electric, Inc.; and be it further

RESOLVED, that Erie County Sewer District Nos. 1, 4 and 5 - Northern Region Administration Building Extension, Electrical Contract, Contract "D" be awarded to Industrial Power and Lighting Corporation, 701 Seneca Street, Buffalo, New York 14210 in the amount bid of \$229,400.00, to provide electrical construction services, subject to approval as to form by the County Attorney's Office, and certification of availability of funds from the project fund balance or an authorized advance from the General Fund by the Comptroller's Office; and be it further

RESOLVED, that the funds for Contract "D" in the amount of \$229,400.00 be paid from Erie County Sewer District No. 4 Bond Account Fund No. 430 Project No. 535; and be it further

RESOLVED, that an additional \$24,500.00 be transferred from 430 535 810 886 8108 to 430 916 810 686 8108 and 430 916 810 973; and be it further

RESOLVED, that the bid bond supplied by Hendler Electric, Inc., by United States Fidelity and Guaranty Company dated October 21, 1999 be hereby declared in default and recoverable from Hendler Electric, Inc.; and be it further

RESOLVED, that the County Attorney be authorized and directed to take what ever action the County Attorney deems necessary to recover costs from Hendler Electric, Inc. and /or their Surety; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this Resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one (1) certified copy each to Joseph Passafiume, Director of Budget and Management, Nancy Naples, Erie County Comptroller's office and Stephen Gawlik, Assistant County Attorney.

MS. PEOPLES moved the approval of the resolution. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 57 – (Comm. 5E-20) EC Southtowns Sewage Treatment Agency R&D Engineering, P.C. Proposed Engineering Agreement.

Item 58 – (Comm. 5E-21) Household Hazardous Waste Collection Program.

Item 59 – (Comm. 5E-22) ECSD No. 4 Bowmansville/Warner Rd. Pumping Stations Engineering Contract Close Out URS Consultants, Inc.

Item 60 – (Comm. 5E-23) Southtowns Sewage Treatment Agency Transfer of Funds.

The above four items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 61 – (Comm. 5E-24) Emergency Services – Acceptance of a Terrorism Consequence Management Preparedness Program Grant Award of \$17,800.

Item 62 – (Comm. 5E-25) Emergency Services – Acceptance of U.S. Dept. of Justice Funds for the Domestic Preparedness Task Force.

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

Item 63 – (Comm. 5E-26) Contract Agreement Buffalo River Watershed Grant Program.

Item 64 – (Comm. 5E-27) EC Sport Fishery Promotion Program – 2000.

Item 65 – (Comm. 5E-28) EC Southtowns Sewage Treatment Agency A/E Agreement Dated 11/2/95 Engineering Change Order No. 5 URS Greiner Woodward Clyde.

The above three items were received and referred ENERGY & ENVIRONMENT COMMITTEE.

Item 66 – (Comm. 5E-29) Early Intervention Program Authorization to Contract.

Received and referred to the SOCIAL SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSION ON THE STATUS OF WOMEN

Item 67 – (Comm. 5D-1) Minutes of Meeting Held 2/9/00.

Received and filed.

FROM DEP

Item 68 – (Comm. 5D-2) Comm. 4E-20 Division of Sewerage Management (DSM) Proposed Title Change.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

FROM VETERANS SERVICES

Item 69 – (Comm. 5D-3) Addressing Questions Raised By Personnel Ad Hoc Committee.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 70 – (Comm. 5D-4) Notice of County Executive’s Hearing Local Law Intro. No. 1 - 2000.

Received, filed, and printed.

ERIE COUNTY DEPARTMENT OF LAW
MEMORANDUM

TO: SEE LIST BELOW

FROM: SUSANNAH M. BOCHENEK
1ST Assistant County Attorney

DATE: February 28, 2000

RE: Notice of Public Hearing
Local Law Intro. No. 1-2000

Enclosed herein, for your information, is a copy of the Notice of Public Hearing for the above captioned Local Law which was approved on February 17, 2000.

SMB/ljj
Enclosure

Charles Swanick, Chairman
Crystal Peoples, Majority Leader
Frederick J. Marshall, Minority Leader
Michael A. Fitzpatrick
Lynn M. Marinelli
George Holt
Judy P. Fisher
Gregory Olma
Ed Kuwik
Al DeBenedetti
Raymond Dusza
John W. Greenan
Jeanne Chase
William Pauly
Barry Weinstein, M.D.
Michael Ranzenhofer
Dale Larson
Charles Eaton, Chief of Staff - Majority
Peter Sigurdson, Chief of Staff - Minority
Jennifer Anger, Democratic Staff
Kathy Gregoire, Executive Secretary to the County Executive
Bradley Stamm, Senior Executive Assistant

Joseph Passafiume, Director of Budget and Management
The Buffalo News
Margaret Hamersley, Buffalo News
WEBR News/Radio 970
WBEN Radio Brian Meyer
WGR News/Radio 55

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Erie County Executive Joel A. Giambra will hold a public hearing on Tuesday, March 7, 2000 at 10:30 a.m., concerning:

LOCAL LAW INTRO. NO. 1 - 2000, amending Local Law No. 2 - 1999, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.

This local law was approved by the Erie County Legislature at Meeting No. 4 held on February 17, 2000. Copies of the proposed local law are available for public inspection in the Office of the Clerk of the County Legislature, on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ASSEMBLYMAN BURLING

Item 71 – (Comm. 5M-1) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE FULTON COUNTY BOARD OF SUPERVISORS

Item 72 – (Comm. 5M-2) Certified Copy of Resolution Re: Supporting Saratoga County Request For Withdrawal of Proposed Wetland Maps.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM SQUEAKY WHEEL/BUFFALO MEDIA RESOURCES

Item 73 – (Comm. 5M-3) Final Report for Fiscal Year 1999.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CITY OF BUFFALO COUNCILMEMBER FISHER

Item 74 – (Comm. 5M-4) Copy of Letter to County Executive Re: Sharing of Extra Sales Tax with City of Buffalo.

Item 75 – (Comm. 5M-5) Letter to Chairman Swanick Re: Sharing of Extra Sales Tax with City of Buffalo.

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE

FROM NYS GOVERNOR PATAKI

Item 76 – (Comm. 5M-6) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE AUDIT COMMITTEE FOR ERIE COUNTY

Item 77 – (Comm. 5M-7) Annual Report for Year Ended 12/31/98.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE GREATER BUFFALO CONVENTION & VISITORS

Item 78 – (Comm. 5M-8) 2000 Marketing Plan.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE AUDIT COMMITTEE FOR ERIE COUNTY

Item 79 – (Comm. 5M-9) Duplicate of 5M-7.

Received and filed.

FROM THE BAR ASSOCIATION OF ERIE COUNTY

Item 80 – (Comm. 5M-10) Letter in Opposition of Selling Naming Rights to New Family Court.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NFTA

Item 81 – (Comm. 5M-11) NFTA & NFT Metro Board Minutes of Meeting Held 1/18/00.

Received and filed.

FROM THE TOWN OF GRAND ISLAND

Item 82 – (Comm. 5M-12) Certified Copy of Resolution Re: Endorsing Erie County Association of Governments Resolution Regarding Special Franchise Assessments.

Received and filed.

MEMORIAL RESOLUTIONS

Item 83 – Legislator Marinelli requested that when this legislature adjourns, it do so in memory of Edward J. Hennessy.

Item 84 – Legislator Swanick requested that when this legislature adjourns, it do so in memory of Donald Fa zioli.

Item 85 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Rev. Otis Long.

ADJOURNMENT

Item 86 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2:00 p.m. Thursday, March 23, 2000**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, March 23, 2000 at 2 p.m. Eastern Standard Time**.

**LAURIE MANZELLA
CLERK**